

THIRD SERIES

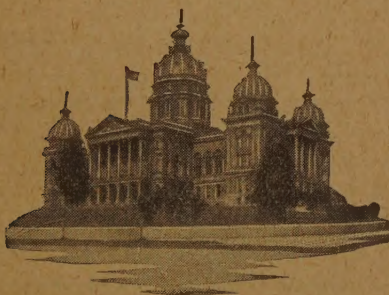
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WABAUNSEE, POTTAWATTAMIE CHIEF
From a portrait in colors as reproduced in McKenney and Hall's "History of
the Indian Tribes of North America."

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WABAUNSEE, THE INDIAN CHIEF (A FRAGMENT)

Some notes, historical and legendary, of Wabaunsee, principal War Chief of the Pottawattamie Indian Nation, collected and prepared by Seth Dean of Glenwood, Iowa, with the assistance of other parties as noted.¹

In collecting material for a sketch of the life and character of Chief Wabaunsee² who for some years lived within the bounds of and had a part in the early making of what is now Mills County, Iowa, I find accurate information in detail very limited. With no opportunity to converse with the Chief and get his story at first hand it is apparent that the only available sources of information are the written statements of parties who knew him in his day and the oral testimony of others who have met him. In the preparation of this paper I have tried so far as possible to state only facts, fully realizing that history to have any value must be truthful.

Of the many pioneer settlers who knew him personally, Mr. Moses W. Gaylord now residing in Tabor, Fremont County, is the only one living in Iowa, so far as I can learn, and I am indebted to him for many facts noted in this article. Other

¹Although Mr. Dean began work on this article two or three years ago, the arduous duties of his profession prevented him from completing it. He was a natural research worker and historian, giving the same thoroughness and accuracy to it that he gave to his work as civil engineer. He even visited a year or so ago the descendants of Wabaunsee on their reservation in Kansas. He doubtless came to know more about the noted chief than any one else had ever learned, and it is greatly regretted that he did not live to bring this study to a conclusion. A short biographical sketch of Mr. Dean will be found in the "Notable Death" section of this number of the ANNALS.—Editor.

²The name is spelled in various ways by parties who have written of him, sometimes apparently to please the imagination of the person using it. Authorities have written it in the following manner: Thomas L. McKenney in his great work, "Indian Tribes of North America," "Wa-baun-see"; A. R. Fulton in "Red Men of Iowa," "Wau-bun-see"; Elliott in "Notes of Sixty Years," "Wah-bon-seh"; Rev. William H. Goode in "Outposts of Zion," "Wau-bon-sa"; Mills County History, "Wau-bon-shey"; a county in Kansas is named for him, "Wabaun-see"; the United States postal service for some years maintained an office in the vicinity of the Indian village and was named for the Chief, "Wagh-phon-sy"; in 1846 Rufus Hitchcock in a suit against the Chief, "Wa-bon-chey"; by E. R. Ferguson, attorney of Shenandoah, name for a state road, "Wau-bon-ie." The writer selects the form used by McKenney as being probably most nearly correct.

sources of information I have given credit for at the proper places in this article.

To get a clear understanding of the character of Wabaunsee, the environment in which he lived, and circumstances that shaped or controlled the course of action in his public career, a short preliminary account of the Pottawattamie Indians during the time successively covered by the French, the British, and last, that of the United States, with an outline of the governmental policy pursued by each, as factors in explaining the resulting action of both the Pottawattamie and the neighboring Indian nations or tribes with whom they were confederated, seems necessary.³

POTTAWATTAMIE NATION

The Pottawattamies (called by the French "Pouks") were a part of the great Algonquin family and were related by ties of consanguinity to the Ojibwas or Chippeways and the Ottawas. The name Pottawattamie means "Makers of Fire" and was expressive of the fact that they had assumed separate sovereignty by building a council fire of their own, meaning thereby that they were an independent people.⁴ But notwithstanding this separate tribal relation their laws required that before a legal sale or transfer of any portion of their hunting grounds could be made it was necessary that a majority of the chiefs of all

³Articles consulted in preparing this article are "Indians of North America" by Thos. L. McKenney and J. Hall; "Early Settlement and Growth of Western Iowa," by Rev. John Todd; "Forty Years Among the Indians on the Eastern Border of Nebraska," by Rev. Samuel Allis, published in "Transactions of Nebraska State Historical Society," Vol. XI, 1887; "Border Wars of Two Centuries," by A. C. Pennock; "Red Men of Iowa," by A. R. Fulton, published by Mills & Co., Des Moines, Iowa, 1882; "Deportation of the Pottawattamies," by F. B. Stuart, *Magazine of History*, September, 1922; "Notes Taken in Sixty Years," by Richard Smith Elliott, U. S. subagent to the Pottawattamie Indians at Council Bluffs, 1843 to 1846; "Outposts of Zion, with Limnings of Missions," by Rev. William H. Goode; "North American Indians," by Geo. Catlin (1832); "History of the Ojibwa Indians," by Kah-kewa-quo-naby (Rev. Peter Jones); "History of Missouri," article on Pottawattamie Indians, by Louis Houck, 2 Vols.; "The Chicago Indian Treaties," by Sue I. Silliman, *Michigan History Magazine*, Vol. VI, page 194; "History of Iowa," article on Pottawattamie Indians, by B. F. Gue; "History of Chicago," by A. T. Andreas Co.; "History of Illinois;" "History of Indiana;" "History of Kansas," by A. T. Andreas Co., 2 Vols.; "Indian Tribes of Upper Mississippi and the Great Lakes," by Emma H. Blair, 1911, 2 Vols.; "The Mississippi Basin," by Justin Windsor, 1895; "History of Pottawattamie County, Iowa," Baskin & Co., Chicago, 1883; "History of Mills County, Iowa;" "History of Fremont County, Iowa," by L. Lingenfelde, 1876; "Reminiscences of Pioneer Days," by C. P. Tolles in *Glenwood Opinion*; "Removal of the Pottawattamies from Indiana," by Daniel McDonald.

⁴"Red Men of Iowa," by A. R. Fulton, p. 163; also "Indian Tribes of North America," by Thos. L. McKenney.

the Ottawas, Chippewas, and Pottawattamie nations be secured.⁵

Just when and where this council fire was kindled and the assumption of separate national rights and privileges occurred, and the number who seceded from other tribes to form the new one, history does not state.

The following description of the Pottawattamie Indians is given by Thomas L. McKenney as they appeared in 18—, probably when the nation was about its best. "In personal appearance the Pottawattamies were among the best of the different tribes inhabiting the country east of the Mississippi River, and while they were courageous and capable as warriors they excelled as traders and generally were on peaceable terms with their white neighbors."

Prior to and at the beginning of the nineteenth century the Pottawattamies occupied jointly with the Ottawas and Ojibwas or Chippewas, territory claimed by the Miamis who permitted these tribes to occupy it in common.⁶ Their holdings were bounded on the east by Lake Erie, on the west by Rock River and the Mississippi, on the south by the Wabash River and on the north by Lake Michigan, and Grand and Detroit rivers, the tract being about 250 miles east and west by about the same north and south, being included within what is now the states of Indiana, Illinois, and Michigan. A greater portion of the territory occupied by the Pottawattamies being prairie, they were classed as prairie Indians or maskoutins and at this time were quite numerous, the best estimates saying there were about 6,500. Prior to 1763 the territory west of the Allegheny Mountains was claimed and actually under French control with the central government at Quebec. The French established trading posts at most of the strategic points for the Indian trade. By the conquest of Canada in 1763-64 the French rights and privileges were taken over and held by the English government, until the treaty of 1783 at the close of the Revolutionary War, when the territory west of the Alleghenies and south of the Great Lakes passed into the hands of the United States.

During this period, 1750 to 1800, the Pottawattamies with other kindred tribes annually visited Fort Malden on the Cana-

⁵"*Michigan History Magazine*," Vol. VI, p. 194; also "History of the Ojibwa Nation," by Rev. Peter Smith, pp. 35, 105.

⁶McKenney's "Indian Tribes of North America," Vol. III, p. 34.

dian side of the boundary, received presents from the Canadian government, sold their furs and other productions to, and purchased their supplies from the British or French traders. It nowhere appears so far as my information goes that either the French or British governments ever purchased or otherwise secured land from these Indians. The governmental policy of both the French and British at this time seemed to have been to assimilate them with other peoples and eventually make citizens of them in the localities where they had been living for generations, and this policy seemed to have been satisfactory to the Indians and well calculated to make them peaceable allies of either nation.⁷

It is frequently stated by writers of the history of the wars between the Indian and the American settlers from 1763 to 1800 that the Indians were mainly instigated by the French and English traders and the fur companies' agents to retain and increase their trade with the tribes south of the Great Lakes. Probably this is partly true, but the writer believes a more potent cause existed.

A review of the past two centuries shows that tribal wars and personal feuds between members of the different Indian nations kept their numerical strength about stationary, the annual birth rate being about equal to the deaths, while in the seaboard colonies the birth rate of the white families with immigration from Europe very greatly outnumbered the increase in the Indian population.

At this time the pursuit of the settlers was almost wholly agricultural, and as fast as the increased population absorbed the lands in the immediate vicinity of the coast they began taking over the Indian lands to make homes for themselves, purchasing the Indian title for a nominal sum if it could be done and letting the Indians move off, but if this method failed they took possession by conquest and either exterminated the tribe or compelled the survivors to move on and be taken up by other Indian tribes, which in turn were in time doomed to meet the same fate.

Prior to the Revolution the policy of the English government toward the American Colonies was to discourage manufacturing

⁷In this connection see speech of Little Elk, also "History of Ojibwa Nation," by Peter Jones.

industry, requiring the Colonies to purchase manufactured articles from England, for which they exchanged food stuffs, lumber, and other raw materials, thus making the Colonists largely a class of farmers, and if near the coast many of the men became sailors.

As the land suitable for farms was taken up it naturally followed that each generation had to migrate and make homes westward from the seaboard, so that by 1750 the wave of settlers had reached the Allegheny Mountain Range and had in a few places established settlements in the Indian country to the westward.

In 1750 the wave of homeseekers had reached the Allegheny Mountain Range and in numerous cases had penetrated beyond into the Ohio country and was taking possession of the Indians' hunting grounds to make farms for themselves. This proceeding was resented by the Indians, but no single tribe was strong enough to offer successful resistance and the result was a sort of guerrilla war where a few whites and Indians would come to actual combat, and some on both sides were either killed outright or taken prisoners.

In 1749 the Ohio Company was organized, composed mostly of Virginia planters, and given a grant of 500,000 acres of land in western Pennsylvania but wholly west of the Alleghenies, and was the first intrusion by Colonial settlers into the Ohio Valley under a claimed legal right. Both the French government and the interested Indian tribes resented this attempt to take possession of their lands and hunting grounds, resulting in the French and Indian War of 1753-54. Virginia authorities now called on England for help, and two regiments of war tried veterans from England under command of Braddock, an able and experienced European general, were furnished. This force was reinforced by Colonial troops under George Washington as second in command and a campaign to drive out the French and punish the Indians for holding onto their lands was entered upon in 1754.

At this time, 1750, the great war chief, Pontiac, becomes the principal factor in the drama for a time. He was born about 1715, the son of an Ottawa chief, his mother an Ojibwa woman. Thus Pontiac claimed descent through the two tribes. He was

a man of uncommon energy, courage, resolution, and native eloquence, and was endowed with a natural talent for uniting the scattered Indian forces and successfully commanding them in action. His exceptional talents were early recognized by the French military officers who gave him military instruction that he later successfully adapted to Indian tactics.

At this time the Ottawas, Ojibwas, and Pottawattamies were united in a sort of confederacy with Pontiac as both civil and military leader, but his influence extended far beyond these tribes and was almost unbounded wherever his voice had been heard. History does not say that Pontiac ever visited the country and Indian tribes east of the mountains, but I feel safe in assuming he had, and learned from first hands the policy pursued by the Colonists toward the Indian nations. And he had seen even the Iroquois warriors, the traditional enemies of the Ohio Indians, conquered and largely dispersed at this time, and fully realized that the cunning skill of the Indian was no match for the inventive genius and administrative ability of the whites, and that unless the wave of white settlers was permanently stopped at the Allegheny range the Indian nations to the westward were doomed one after another to extinction, and that the only plan to secure this result was by uniting all the tribes in a war of extermination for all Americans that ventured into that country.

The grant of 1749 to the Ohio Company resulted in Pontiac joining forces and interests with the French as noted above, the French government sending Montcalm, one of their ablest generals, to command their forces and Pontiac bringing in the Ottawas, Pottawattamies, and Ojibwa warriors. The crisis came with the invasion of the French and Indian country by the English troops under Braddock in 1755. Pontiac brought his Indian forces to oppose him and in the battle of July 9, 1755, the Pottawattamies were the attacking party, and the result was the complete rout of the English and Colonial forces and the death of Braddock, leaving Colonel Washington to gather up the remains of the army and retire from the field. The Indian war continued through 1756. In 1757 a peace treaty was concluded that lasted about five years.

By the conquest of Canada, Great Britain in 1760 acquired all

the landed rights and interests held by the French east of the Mississippi River and Major Rogers in September, 1760, was ordered to take over the French posts at Detroit and elsewhere.

It was a surprise to Pontiac and his chiefs to see the French officers, after they had repeatedly pledged support to his cause, surrender the posts without resistance. This confirmed his belief that the English intended to drive them from their lands and that he would get no help from the French. He at once began again uniting all the Indian tribes east of the Mississippi for a general war against the white settlers and called a great Indian council near the Maumee River in 1762. The Pottawattamies with other tribes took part. This was the prelude to a general Indian war. Pontiac detailed minor chiefs with their Indian bands of warriors to capture the weaker posts and drive out or murder the settlers, while he personally undertook the capture of Detroit.

The Pottawattamies were included with other tribes in Pontiac's force that attacked the post at Detroit May 9, 1763. The war raged with fury during 1763-64 and it is said that 2,000 settlers were slain and most of the army posts taken by the Indians. Pontiac however was unable to capture Detroit and after a siege of five months was forced to retire. His army was defeated and Pontiac and his chiefs made a peace treaty with Sir William Johnson at Oswego in 1764 fixing a boundary between the white settlers and the Indians. This settled the Ohio trouble for a time. Pontiac was assassinated by an Illinois Indian near Cahokia in 1769.

In April, 1775, the war of the American Revolution came on. Hostilities however were largely confined to the territory east of the Allegheny Mountains. Some of the Canadian Indians took part with the British under Burgoyne, but in general the western tribes were passive as immigration into their country practically ceased during this war.

The next change of owners was by the treaty of September 3, 1783, at the close of the Revolutionary War when England relinquished all claim to territory south of the Great Lakes and east of the Mississippi River.

It was under the above described political factors and turbulent environment that the Pottawattamie war chief, Wabaunsee,

was born in or about 1765 in northwestern Indiana, where the town of Terre Coupee, on a northern branch of the Kankakee River, in St. Joseph County, is now located.⁸

Of his father or mother we know nothing, there being no mention of either of them by any writer so far as I have discovered, but the family must have been of more than average ability, and quite probably the office of chief was hereditary in the family, as an elder brother of Wabaunsee, named Mu-ca-da-puck-ee,⁹ meaning in English "Black Partridge," by which name he is generally spoken of in the histories of his time, was also a Pottawattamie chief and with Wabaunsee took a very active part in the stirring times of the Tecumseh War and of the Fort Dearborn massacre August 15, 1812. Black Partridge was probably the civil chief of the nation or tribe and inherited his office, but the date and place where he was given this official rank is not known. I think it very certain that Wabaunsee could and did acquire his office only by actual merit fully justified by events.

It is both surprising and I doubt if a similar case can be found in Indian history where two brothers become contemporary chiefs and hold the offices for such length of time and administer the business matters of the tribe as did Black Partridge and Wabaunsee. I have been unable to learn when, where or under what circumstances Black Partridge died, but think it reasonably certain that he did not come to Iowa with his tribe.

Wabaunsee was probably given a name in childhood according to the Indian custom, his parents giving a feast in honor of the event,¹⁰ but this name whatever it was seems to have been repudiated by the chief himself who states¹¹ that he chose the name Wa-baun-see, meaning "Break of Day," or as he expressed it, "Day a Little," probably chosen at the time he was made a war chief, his greatest heroic act having been performed just as the day began to break, and referred to the slaying and scalping of one or more Osage warriors when inside an American stockade with sentinels on guard outside to prevent entrance. I have no means of fixing the date of this event but it must have been

⁸Authority of Earl R. Ferguson, attorney of Shenandoah, Iowa, published address on Wabaunsee, p. 2.

⁹Authority of Earl R. Ferguson.

¹⁰"Life of Peter Jones," Ojibwa chief. Samuel Allis' "Forty Years Among the Indians."

¹¹Elliott's "Notes of Sixty Years," p. 200, spells Shah-be-nay, another chief.

when he was a young man, possibly on his return from a visit to the Spanish post at Cape Girardeau in 1794.¹² He was then about twenty-nine years of age and from this time forward he seems to have taken an active part in the councils of his nation.

In the "Proceedings of the Wisconsin Archaeological Society," page 92, it is stated that Wabaunsee with two other Pottawattamie chiefs, was present at the Fort Dearborn (afterward Chicago) massacre August 15, 1812, and that Wabaunsee advised the tribe not to attack the post, but that his advice was disregarded, and that at the attack on the fort Wabaunsee with the other two chiefs stationed themselves on the porch of John Kinzie's house and saved the family from slaughter.¹³

The earliest personal description I have found of Wabaunsee is by Thomas L. McKenney in his work, "Indian Tribes of North America"^{13a} and is as follows: "He is a very distinguished man, the principal war chief of the Pottawattamies of the Prairie, and resides on the Kankakee River in Illinois. It is regretted that so few anecdotes of him have been preserved, but his general character, which is well known, is that of a warrior of uncommon daring and enterprise, and a chief of great intelligence and influence. His tribe take pride in recounting his numerous feats in war, and the agents of our government who have met him in council speak in high terms of his capacity for business. Though cool and sagacious, he was a bold orator who maintained the interests of his people with untiring zeal and firmness."

McKenney gives a portrait of the Chief copied apparently from an oil painting but does not give the name of the artist, the date, nor circumstances under which it was made, but adds that this is an excellent likeness. This shows the Chief in the uniform of an American army officer with blue coat and a regular gilt epaulet on each shoulder, but there is nothing to clearly indicate his rank. He is further adorned with a yellow scarf

¹²Louis Houck's "History of Missouri," Vol. I, p. 8.

¹³While we have not been able to find and verify the reference given above, we do find in "History of Chicago," by A. T. Andreas, Vol. I, page 74, that the Kinzie family were "saved from the fury of the Indians who had come from a distance to participate in the massacre, and to whom the family were unknown, by the strong personal friendship and tireless vigilance of the neighboring chiefs, Black Partridge, Wabaunsee, and Caldwell the Sauganash, who proved in this emergency that an Indian can be a faithful friend."—Editor.

^{13a}Vol. III, p. 31, published by the Indian Bureau of the government.

around his neck, and attached thereto suspended on his breast is a medallion medal with a raised profile figure, probably of the president.

A large metal ornament is suspended from each ear and the Chief is wearing his headdress of feathers, black and white, with other ornaments not easily identified or described. On each side the headdress is ornamented with a bow of red ribbon. A streak of crimson paint commences at the edge of the hair over the left eye, passes downward between the eyes, bends to the right under the right eye and over the right cheek bone, then downward to the neck under the right ear.

It seems probable to the writer that this portrait was painted by Catlin about the time of the Greenville Treaty (July 22, 1814) when Wabaunsee severed his allegiance to the British and took on that of the United States, and in so doing gave up the red coat of England for the blue one of the United States, and Gen. Harrison would certainly give him at least the same rank as an American that he had previously held with the British. He was then at least forty-nine years old, of mature mind and great influence with the tribe.¹⁴

Note that Catlin does not positively state that he painted Wabaunsee's portrait but he was at Greenville about this time, and shows portraits of chiefs of other tribes, and states that during the time he was engaged in this work (18--to 1832) he visited 48 different tribes, painting 310 portraits in oil and 200 other paintings, only a portion of which are shown in his published work.

Referring to the Wabaunsee portrait Mr. Gaylord says, "It does not resemble him as he looked when living in Iowa. It lacks the square chin and bold features that he then had. He was about 5 feet 10 inches in height, very straight and square built, weighing about 180 pounds and having an unmistakable air of fearlessness in his manner."

It is more than probable that other artists have made por-

¹⁴In confirmation of this, see "History of the Ojibwa Nation" by Chief Peter Smith, page 216, where he shows cut of a British medal. On the obverse side is a profile portrait of King William IV, and on the reverse side "Presented in the year 1832 by His Majesty King William IV to Ka-Kwa-gunn-obi (Rev. Peter Jones) a chief of that portion of the great Chipuray nation located at the River Credit in Upper Canada." See also speech of Little Elk confirming custom of British in commissioning chiefs as British army officers.

traits of Wabaunsee but the only evidence I have found is Elliott's statement that a daguerreotype was made by Plummer on the visit of the chiefs to Washington in 1846. An unsuccessful search by the writer hereof has been made for this picture through Charles H. Babbitt of Washington, D. C.

Wabaunsee participated in the treaty of Greenville, Illinois, July 22, 1814, by General Harrison with the Pottawattamies, Ottawas, Kickapoos, and Ojibwas. At this time he formally severed his allegiance to Great Britain and in his own language says he "took the seventeen fires¹⁵ by the hand and buried the tomahawk," and ever afterward was an undeviating friend.

A treaty was signed at Chicago September 26 and 27, 1833, by which the Pottawattamies, with other Indians, exchanged the last of their lands in Indiana and eastern Illinois for a permanent home on lands bordering the Missouri River in [what later became] Iowa, Wabaunsee taking part in the treaty making. Under this agreement the Pottawattamies began to move in the fall of 1835, others following in 1836.

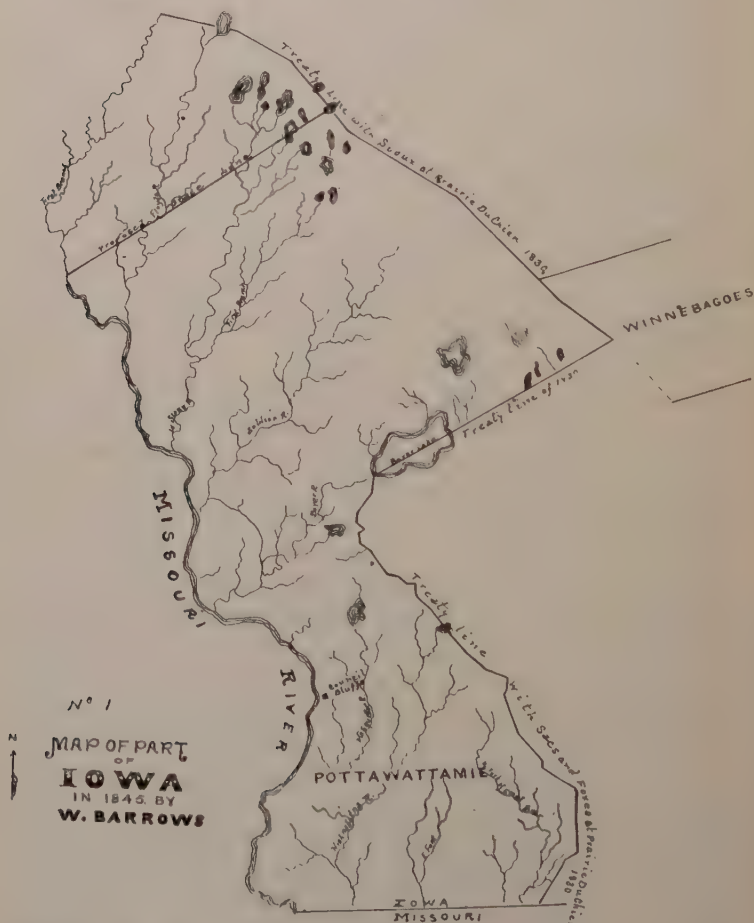
The removal was under supervision of the War Department and by a blunder of some one they were located on the Kansas reservation nearly opposite Fort Leavenworth. Wabaunsee as head chief, with Shabonee and Shatee, subchiefs, and possibly others, came with him. The Indians to the final number of about 1,200 were on this reservation in the spring of 1837.¹⁶

Almost as soon as the Pottawattamies were settled in Missouri it became evident that a great mistake had been made by the government. The adventurous pioneer white men were already coming into the territory to hunt, fish, and sometimes to make homes, without regard to either the rights of the Indian or or-

¹⁵This is explained by McKenney as meaning that the Chief then recognized the Federal government as consisting of seventeen undivided states, all united under the one Great Father at Washington.

¹⁶Missouri was admitted and became a state by proclamation of President Monroe August 10, 1821. The western boundary of the state was the eastern border of the Kansas Indian reservation, which commenced at Fort Brown, opposite the mouth of the Kansas River, and ran north about 150 miles to the southern boundary of the Sac and Fox Indian reservation, thence west about 70 miles to the Missouri River, and thence south along the Missouri River to the point of beginning, containing about 1,000,000 acres of land. This left Missouri without the advantages of about 200 miles of navigation privileges, steamboats being at this time on the river engaged in the Indian trade, and as soon as the state government was in successful operation politicians got busy and memorialized Congress to purchase the Indian rights and add this triangular tract to the state. The Federal Government adopted the plan and by treaty with the Kansas Indians June 3, 1825, secured all rights the Indians had therein, the tract being thereafter known as the Platte Purchase.

ders of the government, and appeals for relief made by the Indians went unheeded by the government. It became certain that some measures had to be taken to prevent trouble between the Indians and the intruding whites. The governor and legislature memorialized Congress to remove the Indians and to annex land lying adjoining to the state of Missouri. A bill for that



purpose was passed by Congress in June, 1836, authorizing the purchase of the Indian rights and removal of the Indians.

It was in 1837 that the band under Wabaunsee were removed

from their temporary Missouri home to Iowa, where they were given a tract of about 5,000,000 acres. This was an ideal Indian land, consisting of forested areas and prairie soils, with steep rugged bluffs and level bottoms, with natural lakes and both large rivers and small creeks all stocked with fish. The buffalo and elk had practically disappeared but deer, antelope, cayotes, wild turkeys, and in the spring and fall millions of geese, ducks and migratory fowl stopped here for rest and food.

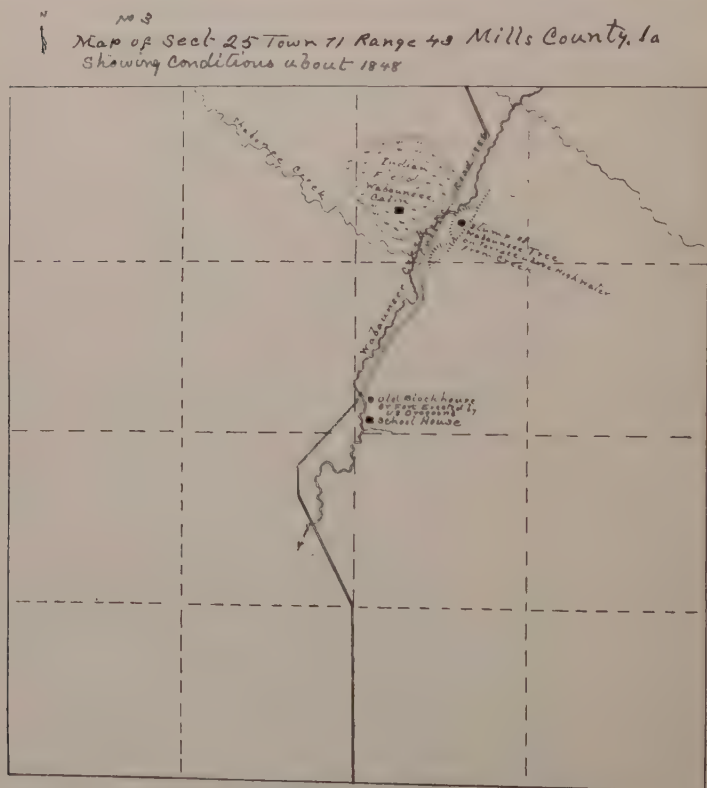
I am not clear how the Missouri Pottawattamies came to Iowa. One writer says they were loaded onto a steamboat and carried up the river to Council Bluffs. Another writer says that the women and children were conveyed by steamers and that the men went overland with an escort of United States dragoons. This seems most probable. At this time ——— was Indian agent and Peter A. Sarpy an Indian trader of St. Louis had a store at Traders Point, bought furs and supplied the Indians with goods.¹⁷

About 3,000 Pottawattamies were collected on this reservation. They separated into small bands and formed villages under leadership of some chief. In 1838 they seem to have become pretty well established. The general place of business and authority recognized by the government was at Council Bluffs, where Chief Billy Caldwell (Sa-go-nash), a half-breed, was located. Wabaunsee chose a location thirty miles south of Council Bluffs, on what afterward became the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 25, Township 71, Range 43 of the United States land surveys. Here the government built him a double log house on the high ground at the confluence of a small creek (afterward named Shabonee Creek) with a larger stream (named Wabaunsee Creek in honor of the Chief). Here a small field was put into cultivation and corn, potatoes, pumpkins and vegetables were raised.

About 300 Indians lived at this village which extended for about a mile north and south and perhaps a mile east and west. The area was mostly forested with some small tracts of prairie where farming was done—about 100 acres probably—was tilled after the Indian system. Across the creek south from the Wa-

¹⁷"History of Pottawattamie County" by Field and Reed, page 6, says Davis Hardin was appointed by the government to instruct the Indians in farming, and came with them with his family and located at a point that is now on East Broadway, Council Bluffs.—Editor.

baunsee house about one fourth mile distant, the government built a log blockhouse, where a few soldiers were sometimes quartered. This house remained and served as a residence for many years for the pioneer, Ezekiel Lambert, who purchased the land from the government. The writer has often been at this house, but did not know that it was a fort until in course of removal some years ago when, on the outside weatherboarding being removed.



MAP OF ENVIRONS OF WABAUNSEE'S HOME
 Drawn by Seth Dean

the loopholes were disclosed. This with Mr. Todd's account, located it as one of the two he mentions. The other one, if it really existed, may have served for a time as a schoolhouse, prior to the regular organization of district schools.

There seems to have been few if any complaints from the con-

duct of the Pottawattamie Indians for several years. The whites began coming into the reservation both with and without consent of the government.

In June, 1843, a great council was called by the Nebraska Indians themselves that met at Tahlequah, Kansas. Twenty-two tribes sent delegates and 3,000 to 4,000 Indians were present. The Pottawattamies of Iowa were invited to attend and Wabaunsee with a few braves was selected to represent the nation in this council. Rev. William H. Goode, a Methodist Episcopal missionary, attended by invitation and in his book, "Outposts of Zion," page 73, he gives this description of the Chief as he appeared at that time: "Wabaunsee, a Pottawattamie chief, said to be eighty-seven years old, treated with great respect by those of his tribe present; in complete Indian costume, with the skin of a cow split in the middle, through which his head was thrust, covering his shoulders and back, and the tail hanging down before." Mr. Goode also says on page 78, "Wabaunsee listened with seeming solemnity and occasional approval to the first missionary sermon he had ever heard," and on page 79, "This band of Pottawattamies then (1843) resided on the Missouri River near Council Bluffs."¹⁸

AFFIDAVIT OF MOSES GAYLORD

STATE OF IOWA, COUNTY OF PAGE, ss:

I, Moses W. Gaylord of Tabor, Fremont County, Iowa, being first duly sworn, on my oath depose and say that I am a son of Elijah B. Gaylord and was born at Macedonia, Hancock County, Illinois, January 8, 1842, and came with my parents with the Mormons from Nauvoo, Illinois, to Council Bluffs, Iowa, then called Kanessville, in 1846, and in

¹⁸It seems that Wabaunsee visited Washington at least twice, once in 1835, about the time the tribe began to remove to their home in Missouri. This was for the purpose, as he said, "of taking his Great Father by the hand," see McKenny's "Indian Tribes of North America," Vol. III, p. 35. He again visited Washington in November and December, 1845, together with several other chiefs of his tribe when they arranged for the sale of their lands in Iowa, as verified by Charles H. Babbitt, Washington, D. C., who examined the records of the proceedings of the council, which records are in the department at Washington, as shown by his letter to Mr. Dean of March 10, 1925. It appears (History of Mills County, page 379) that the Pottawattamies began their removal to their new home in Kansas during 1846.

We have now reached the end of the material Mr. Dean had prepared for his article. Under date of March 2, 1925, he writes to us that he is seeking illustrations for his text, which otherwise is ready, however, from his notes we judge he had more in mind to write concerning Wabaunsee's last days. His visit to the descendants of the Chief who reside on the reservation in Jackson County, Kansas, doubtless yielded him interesting material. We are ending the article by the affidavits of Moses Gaylord and A. L. Wolfe, the speech of Little Elk, and verses from McKenny's "Indian Tribes of North America," which we think was Mr. Dean's plan.—Editor.

October of that year moved with my parents to a village or settlement called Lacey Grove about six miles south of the town of Tabor, or rather where the town of Tabor now stands, and that I have lived in that locality constantly every since.

I further say that the Pottawattamie Indians, or at least a portion of them, were living in that locality at that time, and seemed to be divided into villages and one of the villages was located at Lacey Grove over which a subchief, called Shatee, ruled. The main chief, however, of this tribe of Indians in this section south of Council Bluffs was "Old Man Wabaunsie," who lived at Wabaunsie village which was located on the south bank of Wabaunsie Creek in Mills County, about four miles northwest from where Tabor is now located. The village was constructed of wigwams made of buckskin or other hides and of little houses made of bark that they took from the neighboring trees. I have visited this village twice when Wabaunsie was alive, and on one occasion shortly after he died.

I remember Wabaunsie as a big, strong, burly man and talked very little English and his hair was as white as snow and that he wore no whiskers. But in this connection I further state that the Indians, in those days at least, did not shave but pulled their whiskers from their faces if they did not desire to wear them. I remember Wabaunsie as wearing a crown of very beautiful and extra fine feathers of beautiful colors; he also wore leggings of elk hide, and also wore a brilliantly colored blanket. Another characteristic of Wabaunsie that I remember is that he smoked a pipe incessantly. Of course he did not always smoke tobacco, for it was not always obtainable. When he or his fellow tribesmen could not get tobacco they would smoke the bark from the red willows that grew abundantly along the creeks of southwestern Iowa, which was dried and pulverized, and made a very delightful smoke, for I myself have tried it. This smoking preparation was called in Indian language "kinne-ke-nick," at least that was the Pottawattamie term for this preparation. I am absolutely sure that I saw the old Chief as late as 1848, and I believe as late as 1849.

It was the custom of the Pottawattamie Indians to take their dead and wrap them carefully and securely in the Indian blanket of brilliant colors and fasten the blanket around the corpse with rawhide straps or a string, and then place the body thus prepared on a little platform constructed of bark up in the limbs of a tree as a symbol of offering the body to the Great Spirit. After the body would remain in the tree for six months, or maybe as long as a year and a half, they would take the body down and bury it in the earth with a mound above, much the same as is our custom. I know this because I have seen it done by the Indians on many occasions.

I remember perfectly well, with a definite and fixed recollection, of visiting the Wabaunsie village with my father after the year 1849, and the Indians directed to the tree and showed, pointed out and explained,

that the body of Wabaunsie, their beloved and illustrious chief, was there wrapped in the death blanket of the tribe, securely fastened about him with rawhide straps, reposing on the platform of bark in the crotch of a bur oak tree on the north bank of Wabaunsie Creek, opposite the village. Of course, I did not see the body because it was wrapped in the blanket, but the Indians explained who it was to my father in my presence and hearing, and they were greatly grieved, and my father talked about it to them in my presence, and he talked about it returning home, and there can be no mistake but that the Indians identified with certainty and definiteness that this was the body of Wabaunsie, their chief.

In this connection, and at the request of Earl R. Ferguson of Shenandoah, I will tell of the medicine man of the Pottawattamie village that lived at Lacey Grove under the rule of Shatee. The medicine man of this village was "Indian George," or "Medicine George," who was the medicine man of that camp. He really had performed remarkable cures and he actually doctored our family. There was a squaw who became very ill and with a lingering sickness that they seemed not able to diagnose. Medicine George treated her in every way known to him for several years and gave it up unless he could resort to some miraculous cure. So he ordered an Indian medicine powwow to be held that night. He came to our house and asked for a dog. We gave him an old hound. He took it to the village and there prepared a great stew out of this dog and when the stew was done it was placed out in the open and this sick squaw was brought from her tepee and placed near the pot containing the dog. Before I go further I wish to say that the Indians invited us to this powwow and we attended but we refused to eat the soup, which rather displeased the Indians, but we told them we were not hungry. The dance began and was a sort of a circular affair surrounding the sick woman. There was shouting, laughter, and singing. Each time the Indian would come to the pot of dog soup he would take a spoonful from the pot and give it to the sick patient and then point heavenward and say "kio-o-widney" which was their name for the Great Spirit. This is the song they sang:

Ki-o-widney
Ki-o-widney
Ki-Ki-Hi-o-way-up-to
Ki-o-widney

This performance kept up until midnight when we went home and the strange thing to say is that the squaw got well.

I am here today in Shenandoah as a guest of the Daughters of the American Revolution of Shenandoah, and a guest of the public schools of Shenandoah, who are celebrating Indian life and customs under the name of Wabaunsie powwow. My attention has been called today to the statement of Richard Smith Elliott in his book entitled "Notes taken

in Sixty Years," published by Studley and Co., St. Louis, Missouri, in 1883, wherein he says that Wabaunsie was killed in a stage wreck on his return trip from Washington in 1845. I also note the fact that Mr. Elliott did not witness this accident and that it is purely hearsay with him. I am very certain that this is an incorrect statement, for I personally saw Wabaunsie in southwestern Iowa on two occasions after that event.

This affidavit is made at the request of Earl R. Ferguson, John A. Cutter, and R. R. Cunningham at Shenandoah, this day, that the story of the event referred to may be perpetuated and that the history may be preserved after I am gone, for there are very few people now living who were alive during the days of Wabaunsie.

MOSES W. GAYLORD.

Subscribed and sworn to by Moses W. Gaylord, at Shenandoah, Iowa, this 14th day of May, A. D., 1924.

BURNET FERGUSON,
Notary Public in and for Page County, Iowa.

AFFIDAVIT OF A. L. WOLFE

A. L. Wolfe being sworn on oath states: I am a son of William Wolfe who came to Mills County, Iowa, in the spring of 1849 from Missouri, and settled on what became after the public land surveys of 1851 the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24, Township 71, Range 43, Lyons Township, Mills County, Iowa, where he continued to reside until his death in 1893. I was born at that place April 5, 1856, this place being about one mile from the Wabaunsee cabin where the Pottawattamie chief lived and died, the cabin with a small enclosed field of perhaps five acres that the Indians cultivated being located on the southwest corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 25 of same township.

Soon after my birth a public schoolhouse was built and a school established on the southwest corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 24, about one and a fourth miles south of my home, and one-fourth mile south of the Wabaunsee cabin. The public road led by both the Chief's cabin and the schoolhouse. I attended this school several years traveling this road twice a day during that time.

My father has repeatedly told me that Wabaunsee died at his cabin some time in the year 1848 prior to the Indians removing to their reservation in Kansas.

At the time of his death the Indians wrapped the Chief's body in a blanket with peeled bark outside and placed it with his personal effects consisting of a flintlock musket, a tomahawk, beads and other ornaments in a box of thick boards split or hewn from logs. This was placed in the fork of a large oak tree about twelve or fifteen feet

above the ground, the box being secured to the limbs of the tree by a chain that passed round them.

This was a bur oak and stood on the east side of and near the road, across Wabaunsee Creek and about 400 feet southeast from the Chief's cabin. This tree was cut soon after the Civil War but the stump, much decayed, still remains and I have clearly identified and pointed it out to Seth Dean for use in preparing his paper. It was the only large tree in that locality and I am sure that I cannot be mistaken in its location.



SETH DEAN WITH WABAUNSEE'S SPEAR

Some time after the Indians had left, the box was opened by whites and the contents scattered. The musket was claimed by a Mr. Abe Burger and by him taken to California in early days. The tomahawk my father secured and is now in my possession, having been in our family continuously for more than seventy years, and has been photographed by Seth Dean. The skeleton, I do not know what become of it.

I further say that I well knew the old log blockhouse erected at or near the time the Pottawattamie Indians came here. It stood on the western part of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 25, near the school-house above referred to, and was occupied as a dwelling house by a Mr. Ezekiel Lambert. It had been ceiled inside and weatherboarded

outside. After removing the outside covering before tearing down, the loopholes in the sides for musketry fire were plainly visible. This was one of the houses referred to by Rev. John Todd in his book. The other blockhouse I know nothing of.

A. L. WOLFE.

Subscribed and sworn to before me by A. L. Wolfe this 9th day of May, 1925.

CARRIE I. WRIGHT, Clerk District Court.

By GLADYS SCOTT, Deputy.

(SEAL) District Court.

On page 21 is a photograph of the weapon or utensil (probably a lance and boat hook combined) taken from Wabaunsee's burial box and now in possession of A. L. Wolfe of Glenwood, Iowa, and called a tomahawk in his affidavit. The instrument is made of steel, apparently hand forged by a blacksmith. It measures $21\frac{1}{4}$ inches on the edge and is 3 inches in length to the base of the hook which is 3 inches long. The shank or socket is 7 inches long and $13\frac{1}{4}$ inches outside diameter at the end. Into this is inserted a wooden handle or pole of unknown but probably convenient length for the purpose. There is a piece about 8 inches long, nicely smoothed up, yet in the steel head.

SPEECH OF LITTLE ELK

The following is the speech of Hoo-wa-ne-ka, or Little Elk, a Winnebago chief, made in the council held at Prairie du Chien, July 1, 1829, to negotiate a sale of lands. The speech appears in the "Magazine of American History," 1880, Vol. V, p. 212.

I use it in this article as a good example of Indian logic but more especially to show the contrast in the policy pursued toward the Indians of the Great Lakes country by the French and English officials and agents, and those of the United States who succeeded the first. Little Elk said:

The first white man we ever knew was a Frenchman. He lived among us as we did. He painted himself, smoked his pipe with us, sang and danced with us, and married one of our squaws, but he never wanted to buy our land.

The Red Coat came next. He gave us new coats, leggins and shoes, guns, traps and knives, blankets and jewels. He seated our chiefs at

his table to eat with him; he fixed epaulets on their shoulders and put commissions in their pockets. He suspended large medals on their breasts, but he never asked us to sell our country to him.

Next came the Blue Coat—the American. No sooner had he seen a portion of our country, than he asked for a map of the whole of it. Having seen the map he wanted to buy it all. Governor Cass last year at Green Bay urged us to sell all our country to him, and now you, fathers, make the same request. Why do you want to add our small country to yours which is already so large?

When I went to Washington City to see our Great Father, I saw great houses all along the road, and Washington and Baltimore, Philadelphia and New York are great and splendid cities! So large and beautiful was the President's house; the tables and chairs, the mirrors and carpets were so beautiful that I thought I was in Heaven, and that the old man there was the Great Spirit. But after he had taken us by the hand and kissed our women I found him like ourselves, nothing but a man!

You ask us to sell our country and wander off into the boundless regions of the West. We do not own that country, and the deer, elk, bison, and beaver there are not ours, and we have no right to kill them. Our wives and our children, now seated behind us, are dear to us, and so is our country where rest in peace the bones of our ancestors. (Here he spoke with great emotion) Fathers, pity a people few in number, poor and helpless! Do you want our wigwams? You live in palaces! Do you want our horses? Yours are larger, stronger, and better than ours.

Do you want our women? (And now, pointing to the wives of the American officers present, and to the wife and daughters of the agent of the American Fur Company, he said,) Yours are now sitting behind you, and they are handsomer and better dressed than ours. Once more I ask, my fathers, what can be your motives? Why do you want to rob us of our land?

The following verses are taken from McKenney's "Indians of North America," and is made a fitting finale to this paper. The author is unknown.

Ye say that all have passed away—
The noble race and brave—
That their light canoes have vanished
From off the crested wave;
That 'mid the forests where they roamed,
There rings no hunter's shout;
But their name is on your waters,
Ye may not wash it out.

Ye say their conelike cabins
That clustered o'er the vale,
Have disappeared like withered leaves
Before the autumn gale;
But their memory liveth on your hills,
Their baptism on your shore;
Your ever rolling rivers speak,
Their dialect of yore.

7

DANIEL BOONE'S LAST DAYS

The account of Col. D. Boone's death, published in a Chillicothe paper, is entirely a fabrication, probably framed for the purpose of introducing the fanciful incident of the heroic woodsman, breathing his last with his cheek pressed against the butt of his favorite rifle. We have lately seen a gentleman who was at Col. Boone's house in August last, when the old gentleman was perfectly healthy, and wore the appearance of not being over 65 years of age, although he is between 80 and 90. His sight has failed him so much as to unfit him for his accustomed amusement and business of hunting. This is almost the only symptom of old age which appears to affect him. The chase with him was a passion which he indulged to extravagance. When the periodical hunting season arrives, he represents himself as laboring under the most restless anxiety for some days, and he declares that nothing can compensate him for the pleasure he is deprived of in not being able to pursue the buffalo and deer as formerly, to the center of the Missouri deserts.

The family of Col. Boone, consisting of his sons and daughters, with their wives and husbands, live near each other, and form a most interesting group. So far from the characteristics of savage life which they have been represented to possess, the sons are described to us as well-bred gentlemen, distinguished by some of those grand features of mind which are so often found in our native sons of the forest. They own a fine estate of land granted to the individuals of the family by the crown of Spain. They are eminently useful to strangers who explore the lands on the Missouri and Osage, and the hospitality of every branch of this family is the theme of every traveler who extends his journey to the neighborhood of the settlement. The *Register* copies the foregoing from the *Pittsburg Gazette*. Niles' *Weekly Register*, Baltimore, Md., Dec. 26, 1818. (In the State Library, General Department, Des Moines, Iowa.)

INDIAN AFFAIRS OF THE IOWA REGION, 1827-1830

[From photostat copies, in the Historical, Memorial and Art Department of Iowa, of original letters of General Joseph M. Street and others, on file in the Indian Bureau in Washington, D. C.]

Indian Agency,
Prairie des Chiens,¹ July 10, 1827

Sir:

As it is probable that exaggerated accounts of the Indian hostilities may have reached you, I will give you an correct account, that no unnecessary apprehensions may be entertained at Green Bay & vicinity. I had received intelligence from some confidential Indians among the Sioux that the Winebagoes were about to attack this village and murder all the Americans in it. I immediately sent off expresses in various direitions. The hostile Indians suspecting that their intentions were discovered began hostilities about ten days before they had intended. On the 27 Ult. about noon two men were murdered and a child scalped. Three days after a keel-boat returning from St Peters was attacked about forty miles above this place by about one hundred & fifty Indians. After a desperate conflict the savages were repulsed with the loss of ten or twelve of their number—two of the boat's crew were killed and four wounded. Another boat has since been attacked but no person killed.

I set out for the council at Green Bay on the first inst. & on the fourth I met Gov. Cass and returned with him to this place. I went immediately to the Lead Mines and engaged two companies of volunteers who returned with me for the defence of the place. One hundred men are expected to arrive to-day from Saint Peters, so at present we feel quite safe. The Governor has gone to St. Louis to send up troops. He intends to return by the way of the Illinois & Chicago.

The band of Winnebagoes who are known to be hostile do not much exceed One hundred and fifty men, and it is very desirable to detach the friendly Indians from the hostile party, and for this purpose I have directed that they should all go to the Bay immediately where I expect they will be fed and kindly treated. I shall use every exertion to effect this measure, which appears to be the best that can be done at present. I shall make another attempt before the middle of August. You will receive this by a man who came here as interpreter for the Governor, he has been detained here six days and is desirous that I should request you to pay his wages for that time. I have sent four

¹We are following the spelling, capitalizing, etc., used by the writers of these letters.—Editor.

Menominies to accompany him to the Portage—if they should go on with him to the Bay, I wish you would pay each of them about fifteen dollars worth of goods.

I shall send expresses to you about once in ten days, & keep you constantly advised of whatever may occur here.

I am Sir,

Very respectfully

Yo Obt. Sevt.

(Signed) John Marsh

Sub Agent for Ind. Affrs.

and Actg. Ind. Agent.

Col. Thos. L. McKenney,
Green Bay.

United States Indian Agency at
Prairie du chien February 22, 1830

Sir,

Three actions for damages have been commenced in the court at Prairie du Chien against me, in conjunction with Majors S. W. Kearney & Twiggs; for arrests in my official capacity as Indian Agent, under the several laws of the Congress of the U. S. prohibiting foreigners from going into the Indian country, and restraining all persons from Tresspassing on Indian lands. In these cases I am held to bail in the sum of about 2000\$. I presume that Major Kearney has laid before you a detailed account of the transactions in which these cases originated, and I early submitted the facts to the Sup. of Ind. Affs. at St. Louis. Yet as the spring term of the Court at this place is approaching, and I have no prospect of a fair trial before the *presiding Judge from his previous course*, and little hope that an *impartial Jury* can be procured at this place, I am impressed with the propriety of communicating *directly* with you on this subject. I hope, sir, this course may meet your approbation, and that such instructions as the history of the cases may suggest will be given to me.

Two of the cases are brought by Jean Brunette, the Sub-ject at the time of a foreign prince, against Major Kearney & myself. In one case he left this place in the night with sleighs, and I persued him next day in person accompanied by a Military escort, and arrested him (and his party 14 in number (partially armed with Guns) on an Island of the Mississippi about 30 Miles above Prairie du chien. He said his intention was to go up the Mississippi & get pine timber. In the other case he sues for the seizure & detention of a parcel of Walnut Timber below the mouth of the Wisconsin River. The seizure was made by the order of Major K. & not mine, and the timber taken to Fort Crawford where it yet remains. These arrests were made upon written information coming through the hands of Major Kearney. The other case is by a citizen of the U. S. D. Whitney, against Major Twiggs

& myself. On written information coming through Major T. & the complaint of the Winnebagoes, I sent, and arrested several men who were in the Indian country 100 miles North of the Portage on the Wisconsin getting pine shingles. The Inds. desired that white-men should be kept from going North of the Wisconsin untill after the promised Treaty. I am now informed the late Sub-Agent who has purchased a parcel of Ind goods of D. Whitney is to be his principal witness.

The last Territorial Legislature of Michigan have stricken off the whole mining country from this & created it into a new county called Ioway—which leaves only the little Village of Prairie du chien, in this county, the population of which is about 300 Souls, made up principally of ignorant Canadian French and mixed breed Indians, not one in 20 of whom can read or write. Many of these, have been hirelings to go with timber parties, and know little about the law, and *care less, so long as they are not made to feel its penalties.* Of this motley group the Jury will be made up. From such materials I cannot even hope an impartial pannel can be obtained. In relation to the Court,—I now cover to you his own opinion, in his own hand write, on two Indictments in these cases, (or one of them) that were found by the Grand Jury against Sd. Burnette. After reading those opinions I think you will feel that I am justified in saying I cannot expect an impartial Trial before Judge Doty. Brunette was arrested 30 miles North of this place (P. du C.) in an Island of the Mississippi. The U. S. claim not one foot of Country North of this place except at St. Peters 300 miles above. And yet you will perceive *Judge Doty says he is not satisfied that it was the intention of the Government to guarantee any country to the Inds—or protect it from infringements.*—The U. S. have purchased of the nearest Indian Tribes, the Country adjacent to their frontier and all beyond those lines is considered Indian country, until the Ind. title is extinguished by purchase. The U. S. have not guaranteed it to any particular tribe because the[y] do not in fact, in most cases know the country claimed by each Tribe. Yet it is Indian country, and we feel bound to protect the Indian from trespass, least it ultimate in war. And in relation to Foreigners the plain interest of the U. S. is to prevent any Foreigners from having access to the Indian country. Under the opinion of Judge Doty—A Foreigner—no matter how inimical to our Government, may pass through our settlements into the adjoining Indian Country—sow the seeds of the most ruthless war on our frontier, and escape unmolested: Or if arrested, mulct the officer in heavy damages. Common-sense dictates to us the necessity of subjecting the intercourse of the subjects of Foreign powers, with the Indians within the exterior limits of our Country, to the regulation & restrictions of the Government; and it has accordingly been done by our laws; and the act complained of was an enforcement of that law. I have been lead into these remarks by the apparent absurdity of the Judges opinion. I was informed a few days past, that an affidavit has been made at the instance of D. Whitney, in

another action and bail ordered by Judge Doty for a large amount. I cannot divine the new cause of action. Yet the Writ he says is to be held up until a letter from me wd. not reach the City of Washington before the Judge had secured his favour at head quarters. I give this as a report just as it is handed to me. His friend here sd. to me that the Judge calculated on securing his standing through his friends in New York. The course of Judge Doty has certainly been very inimical toward the officers acting under the instructions & laws of the Govt. here, and calculated to create difficulties with the U. S. & the Inds. And at the time Major Kearney & myself were held to such exorbitant bail, the Judge was well convinced there was not 4 men at this place who could consistently be taken for 2000\$ Mayor K. & myself were compelled to give the same person.

That you may feel assured that in these cases I acted from no other feelings than those which ought to govern a faithful public officer, I cover to you a copy of a letter recd. from Major K. the Comdt. at Ft Crawford on the eve of his leaving this post. It is the voluntary offering of a stern republican and candid soldier. I can also safely refer you to Major Fowle, Colo. Z. Taylor, and every Military officer who has been stationed at this post since my appointment to office for the purely rational course which I have persued.

Deeply impressed with the important consequences that will eventually result from retaining that portion of the Winnebago Tribe of Indians, cut off by the late Treaty at Prairie du chien in their present situation South of the Wisconsin River, and South East of the Portage, I cannot refrain from calling your attention strongly to the subject. The purchase made by the Treaty of 1829 at Prairie du chien, passes from West to East, quite to the S. E. line of the Menominee Country N. of Fox River of Green Bay, and separates the Winnebago Country on the Rock River, & S. E. of Fox River from the main portion of their country which lies North of the Wisconsin, and leaves a detached oblong strip of land bounded on three sides by the land of the U. S. settled, and in rapid progress of settlement. When viewed in relation to the Winnebago Country North of the Wisconsin, this detached section is comparatively verry small, and from the vicinity of the Whites on 3 sides, is useless as a hunting country. If the Inds. remain in their present uncivilized state on this land, they cannot live by hunting, but will commence Horse stealing and the consequent chastisement of the Whites in the vicinity will ultimate in wars. Every measure therefore, of the Governmt. calculated in its effects to cause the Indians to linger in this detached section of their Country, by meeting them near to it - will be alike injurious to the U. S. and the Indians - whose portion of the Annuity, will only serve to debase them & lead to crime & disruption. On the other hand if inducements are held out to these Indians to migrate, it will not be two years before this section of country will be by themselves offered to the U. S. The late Treaty secured principally

the mining district—the remaining Country is the best agricultural district North & West of the Illinois River & East of the Mississippi. It is in fine the fairest portion of the country lying between Lake Michigan and the Mississippi.

I cannot doubt but this subject has been fully & more ably represented to you; yet holding the official station I do, I feel it too important to be left to any casual notice—and prefer laying the subject directly before you. I perceive it is the policy of our Governmt. to withdraw as many of the Indians as they can, from the East to the West side of the Mississippi R. *without the limits of any state*. Here a prospect of withdrawing a large & ferocious band of Indians from the midst of a vitally important portion of Country on the East to the West of that River invites the attention of the Government and its effectuation will throw into our possession several Millions of as rich land as one Country affords, joined to our present lands on three sides. This is to hold a treaty in the early part of the ensuing summer with the Sacks & Foxes & Sioux, who are now at War—for the disputed Country which is the cause of war, lying directly West of Prairie du chien, and extending from the Mississippi to the Missouri. The country in dispute is about 60 or 70 miles wide, Streatching from one River to the other, and is abandoned by each nation. To the Winnebeago Indians, this disputed country is worth three times as much as the one which they occupy. It has never been closely hunted, and now for several years has remained un-hunted by any party, and would hold out great inducements to the Winnebeagoes to migrate to it. If purchased of each Nation (S. & Foxes & Sioux) by the U. S. the Cause of War wd. be removed between the contending Tribes, and the Winnebeagoes, who are connected with both Nations would secure the continuance of peace, by being cast in between them. While on the East the newly acquired country would bind on upon the main body of their Territory North of the Wisconsin & East of the Mississippi, again uniting their now separated Country. This land when purchased might be easily exchanged with the Winnebeagoes for their detached piece S. of the Wisconsin, and verry little inducements would cause them to migrate in small parties at any rate. It is esteemed by the Indians the best hunting country within 300 miles of this place East or West of the Mississippi, except the Country immediately North of it, embracing the heads of the Desmoines, Terre Blue & the St. Peters in the Sioux Country. And if purchased and exchanged with the Winnebeagoes, a great part of the nation North of the Wisconsin—would immediately migrate to it.

It was, sir, mainly, from the strong representations made by me to the commissioners, that caused the reservations to half breeds to be left to the Will of the President to locate. In the Pottowattomie Treaty, embracing as much mineral country nearly as the Winnebeagoes the locations were *clap'd on special spots & fixed by Treaty*—I deemed

such course improper & calculated to trammel the Govt. and was fortunate in getting the Comrs. to entertain similar views. Now, sir, I beg leave respectfully, to suggest that those locations if confided to any persons interested at the mines, or with the half-breed may yet be made to operate as injuriously as if made in the first instance in the Treaty & perhaps more so. My views as expressed on this subject were so opposite & offensive to Doctr. Wolcot the Agent at Chicago, that he became my enemy merely from the firm expression of my deep convictions on this subject.

I hope, sir, I shall be pardoned for respectfully submitting these views to your consideration. To me they appear important—and are therefore humbly submitted to your better consideration.

I wrote to you shortly after the departure of the Comrs. transcribing a part of their letters which turned over to me One Hundred & three Barrels of Flour, and Forty-seven Barrels of pork, to be distributed to the Inds.—Of this they verbally directed me to deliver over to Mr. Kinzie & Mr. Gratiot a part which was immediately done. How shall I make the returns for these provisions, which according to their letter has been delivered to the Indians?—Shall I forward returns of the delivery to the Superintendent of Ind. affs. at St. Louis, or directly to the War Department.

With great respect & high consideration

I am, Sir,

Your most obt St

Jos. M. Street U. S.

Indian Agent.

The Honble

John H. Eaton

Secretary of the

Department of War

Washington City.

Prairie du Chien, March 20, 1829.

Genl. Wm. Clark, Supt. of

Indian Affairs of St. Louis

Sir

I wrote you under date of the 22d Sept. last, covering returns for the last quarter of 1828; on the 12 January with returns of the first quarter of the current accounting year and on the 19th February in relation to some Indian disturbances among themselves I am yet ignorant whether my returns for the two last quarters have been reed as all those letters remained unacknowledged. I see you have been in the city of Washington during the winter and have concluded that was the reason. Wishing to obtain your friendly aid, I wrote you also to Washington which I hope you reed. I now cover my returns for the 2d quarter of the present accounting year ending

28 Feby last, which I hope will arrive safe and meet your approbation. Also an estimate of expenses for the 3d quarter.

Having no goods for presents to Indians and unwilling to risque the purchase of many, I have endeavored to quiet the Indians retain my standing with them and keep up a state of good feeling toward our Government & people by a judicious distribution of corn and some provisions. This is the cheapest mode in which our attention to their wants can be extended to the greatest number of these people, and the peculiarities of the winter have fortunately combined to render my plan more salutary to them and efficient to us. The early part of the winter we had no snow, the Indians could consequently kill but little game and many of their families were suffering for food. Their applications for food were so constant that I determined to lessen the expense of feeding them by purchasing a tolerable large amount of corn. I procured before the rise several hundred bushels and have freely issued it to them by which means less flour and pork was required and Indians are better pleased generally with corn than other issues. Three hundred and four and a half bushels are included in the two quarters last past, and I have about fifty bushels more of the purchase made before the rise of corn, the whole of which I hope may not be wanted, and can extend over into the whole of the remaining year. I hold it subject to be given if required but if not can easily dispose of it without loss and therefore have not included more than is certainly necessary. Corn is now 50 cents higher than when I purchased and the reported advance was my reason for making the purchase of the amount I did. The Indians unable to live on the little game they could kill, and entirely excluded from the south side of Wisconsin by our people, who are spread over the whole face of the country on that shore of the Wisconsin, collected in large bodies above this place and in the vicinity of the agencies on the Mississippi and live on fish speared under the ice, and issues of corn & some few provisions from the agencies. The families of the men who went to Washington particularly claiming a maintenance untill their men came back as they had gone at the soliciatation of Governor Cass. I believe I have completely succeeded in maintaining the best possible state of feeling for the ensuing treaty which their Chiefs from Washington assure them you and the President promised them. Laterly the fall of snow which has been considerable & the return of the Chiefs to their families has relieved me in a measure, nor do I apprehend any particular collecting of Indians here untill the winter hunts close which will be about the first of May. Then the principal part of the Nation come to visit me, and it will be singularly unfortunate if at that time I cannot meet them in the usual manner with some few presents. Yet unless the sum apporportioned by you to this agency can be forwarded in suitable presents by that time I shall have not even a pipe of tobacco to give them unless purchased here. The last year

has convinced me that using the small sum allotted to this agency in purchases made here from the increased rate renders it entirely inadequate to the purposes intended to be effected by it. Therefore if the amount could be so arranged as to be laid out in St. Louis it would procure a much larger amount of presents. I thought otherwise & was assured by merchants here that I should have anything wanted for the Indian Department as low as I could get it in St. Louis adding the usual freight. But experience proves to me the contrary.

I have been compelled to see the contingencies of this quarter rise beyond what I was endeavoring to fix it at without the power to avert it, only by signing our peace with the Indians and jeopardizing the quiet of the country. The most inconsiderable hostile movement on the part of the Indians in this quarter, I am convinced from experience, would produce a loss to the U. S., in rents alone, of twice the amount of presents distributed, and contingent expenses incurred in any one year. Under these impressions, with a deep anxiety to restrain the contingent expenses of this agency, I have not hesitated to adopt freely the most energetic measures to prevent any interruption of the peace and quiet of this very interesting and important frontier.

In my preceding communications you have been advised that early in the last winter some border hostilities occurred between the united tribes of Sac and Fox, and the Sioux Indians in which several were killed and two Sioux and one Sac made prisoners. Occurring in the neighborhood of our people, I became apprehensive that the spirit of war going forth amongst them, some of our careless citizens on the border, and traders pursuing their legal business in the Indian country might fall a sacrifice to excited hostile feeling and disappointed revenge. Hearing where the Sioux captives were I hastily dispatched a messenger with a small party to demand them. The Fox chief *Morgan* who lead the war party who took them, came and surrendered the captives without ransom to me at this place. I reprimanded him for his conduct, and told him that it was the will of his Great F. the P. under whose protection he and his people were, as well as the Sioux, that they should not go to war with each other- that if any differences came between them he wd. upon application settle them. He plead previous hostility, and the taking a horse and the unsettled state of the line between them and the Sioux from the Upper Iowa to the Missouri. It is unmarked and he and his people believe the Sioux were hunting on the best hunting grounds of his nation. But if it was displeasing to his Father he would no more go to war unless assailed in his own land. Yet he hoped his father wd. cause a good line to be marked between the Sioux and his people.

The prompt obedience of *Morgan* to my request and his mild and conciliatory behavior determined me to promise some presents and give him, which he had solicited for himself & people. Finally he declared his people desired to do nothing that would displease their Father.

Anxious to prevent retaliatory movements on the part of the Sioux, yet ignorant of the fate of their friends that were missing (the woman being the wife of an influential chief) as soon as the necessary preparations could be made—knowing the usages of Indians and that all councils were held by the giving and receiving some few presents—I gave the Sub-Agent a small outfit of necessary articles a — — & horse (the situation of the woman rendering it impossible for her to walk) and sent them into the Sioux country with directions to return the captives to their friends as *speedily* as possible and then pursuing a N. Westerly course by the sources of the Des Moines River to the Terre Blue and down the same to the Saint Peters agency. In his way “seeing as many Sioux Indians of note & standing in the nation as he could! endeavoring upon all occasions to impress them with the desire of their G. F. that they should remain at peace;—collecting & arranging such Geographical information as he might be enabled.” Saying to him in general terms—“The restoration of their captive friends will offer an occasion which you will seize to press this subject strongly upon them, as circumstances at the moment shall dictate.” This mission from which I hoped and expected so much tho’ productive of much essential good was not performed with the expedition contemplated or pressed and extended to the useful objects, desired both in relation to the Indians and the Geography of the country. At the latter the report of the Sub-Agent barely gives in a few uninteresting particulars and the whole of his attention as to the former seems to be absorbed in an erroneous view of the Indians differences among themselves. Enlisting his feelings with the Sioux and becoming a partizan in their differences with the Foxes. The unfortunate connection between the Sub-Agent and a Sioux woman has biased his mind and made him the apologist of their cause. Whereas, I, without entering into the merit of their difference, the cause of which lies in their restless, warlike disposition, desired to say to each in as mild and decisive a tone as possible; but *determined—It is the will of your G. F. that you do not war with any of the neighboring tribes—and if you do you will incur his high displeasure & eventual interference.* His progress was tedious—the country traversed was not of sufficient interest to justify the length of his stay—and I am apprehensive that other objects than those legitimately belonging to his mission occupied too much of his time and observations to the disregard of the paramount claims of the Government upon him. Yet he was the individual placed here, and I could not pass by him, and involve the Government in the expense of a hired agent. These trips are the only duties Mr. Marsh has performed during my residence at the agency. At other times he is merchandising. I am the more particularly led to make the remark, because the conduct of the Sub-Agent has I believe given me much unnecessary trouble and unpleasant experience at an inclement season in a high northern latitude to which I am unaccustomed in order to prevent any dis-

turbances with Indians in this quarter arising out of measures with which I believe he is connected.

He comes in from the Sioux Tour, and without advising with me, has caused an article to be inserted in the Galena paper calculated to incite alarm as to Indian hostilities in this section abroad. Declaring that 4000 Sioux will descend the Mississippi in the spring!!! *Object unknown!* And that great dissatisfaction exists among the N. W. tribes of Indians in consequence of some misunderstanding with the whites! Why, Sir, here is a Pandora's Box filled to the brim, ready to fly open at the least unskillful handling and deluge our frontiers in blood and sweep from its surface with the besom of war the busy miriads who are quietly pursuing their fortunes in the mining district!! The man is absolutely mad, or his ideas have been deranged by entering into the feelings and views of some border savage warriors. I rather think tho' his strong party Sioux feelings have induced him to make this publication to scare the Foxes. How shallow this is even in relation to Indians you know better than I do. Morgan has more sense than he imagines—he knows that Indians cannot do without food—and that if 4000 Indians were ever collected they could not remain together without starving for more than a few days unless *subsisted* by white men. Indians cannot be induced to prepare provisions before hand for a large body of men. Every threatened attack of Indians in large bodies at a distance are idle, and perfectly ridiculous, unless they are to be subsisted by the forethought of white allies. Small war parties with a little dried meat, parched corn, &c do nearly the whole of Indian warefare at any distance from home, and these calculate to fast half the time. The hostilities of Indians unassisted by white allies only as maurading bands are powerless.

Understanding from other more correct sources of information than the Sub-Agent, that he was idling away his time on the way, and stopping at trading houses—I abandoned the hope of much benefit from his tour, and with a deeper interest perseveringly pushed my inquiries into the whole E. & N. E. section of the Sioux country as far north as Lake Traverse and embracing the country he was passing through, and extend'g beyond him far to the west within 2 days march of the Missouri near the mouth of the Vermillion River of the Missouri. The result of these inquiries enabled me confidently to assure you that the warmest feelings of friendship for the whites and gratitude for the late friendly interference pervades the different tribes of the Sioux nation. And this opinion is strengthened by letters from Maj. Taliaferro the Indian Agent at St. Peters, who quotes their disposition as *friendly towards the white people*. There then remains only the Sac and Fox and Winnebagoes who could well be meant by *N. W. tribes* by a person writing in the Galena papers & dating them. My inquiries into the upper part of the country of the first two tribes, had been carefully extended to all their most influential men, and with the principal chiefs

and head men of the latter my intercourse has been personal and my inquiries unremitting through the most unquestionable channels during the winter. I am, therefore, I conceive enabled with still more confidence to assure you that there is no unfriendly feelings entertained by either those tribes towards us, and the Sioux and Sac and Fox Indians have no points of contact with us or our people out of which any misunderstanding could reasonably be hatched up. As to our unsettled line with the Winnebagoes Governor C. and Col. Menard made a satisfactory temporary arrangement with them last fall with which they are well satisfied until the coming summer when they are in expectation of a treaty and speak of selling a large body of their lands. I repeat upon the most unquestionable ground, *all is quiet with the N. W. Indians*, and there are *no grounds to apprehend its interruptions*.

Early last fall I notified the white people that having recd a speech and pipe from a considerable Sioux Chief requesting me to prevent any white-men from going into their country to get Timber, as some of his young men were discontented with it—and the Winnebagoes complaining of encroachments on their lands, and the S. & Foxes of the habit of getting timber and hunting on their land.—I wd. not permit any timber or other parties of men citizens or Foreigners to go on the Indian land or to commit any cut amounting to trespass. Hoping by this early notice to prevent those engagements which might lead to a violation of my notice & the law. Notwithstanding several attempts have been made to violate the law. One party hearing of my movements made their escape after getting some timber which the commanding off. of Ft. Crawford has hawled into the Fort—a writ of replevin was issued and resisted by the Major and the timber returned until the pleasure of the Government is known. I have had no further agency there in leaving the party or escorts, seizing the timber and transferring the possession to the Major. No process has been or will I learn be issued against me. I heard of the intended departure of another company in time to stop them here and a few days past another party of 14 men and 3 trains got off in the night time. I pursued them in person with a military escort of a comd. off. & 12 men, overtook and brought them back to this place, where they are all recognized in the sum of 150\$ to appear at the next court by the civil magistrate. Major Twiggs sent me a complaint by two Winnebago Indians against some who had passed into the Indian country north of Fort Winnebago and Mr. Marsh Sub Agent is now absent with my orders to bring them in & deliver them to the civil authority. He freely declared he only went because he was compelled—that he disliked the duty &c: and I have little calculation on his doing anything unless the officer detailed by Major T. (who appears anxious that no complaint should exist on the part of the Winnebagoes toward us) shall press him—I even apprehend from some reports and circumstances that the Sub Agent was engaged previously in the party I apprehended and brought back on the Mississippi. More

of this hereafter. One fact is gratifying—unless the Sub-Agent is connected with the party I apprehended these depredations and attempts at transgression are mostly confined to Foreigners—Canadians—and mixed breeds.

I am now endeavoring to prepare the Indians for the events of the council they say was promised to their chiefs at Washington. Will you be so obliging as to give me such information relating to the subject as you can that you may deem proper to communicate. I shall be greatly obliged by it.

With high considerations of respect and real friendship

I have the honor to be Your Mo. Obt. St.

Jos. M. Street,

U. S. Indian Agent at Prairie du chien.

Prairie du chien 8 April 1829.

Sir,

I regret to inform you that a report believed to be correct, reached here two days past with the news that an indented Servant of the American Fur Company (Canadian Voagieurs) was murdered by 4 Sioux about the first week in February, at a trading House near the Sources of the Desmoines between that and the mouth of the Vermillion River of the Missouri, within 2 days march of the latter River. The traders and one man constituted all the whites at or near the place. The former came in to renew some part of his outfit, and during his absence the man was murdered, and the articles taken which were left in his care. Few particulars are known. It is supposed that the 4 Sioux who committed the murder, came to get some articles of Mdz, and being refused, and not understanding each other (the white man not speaking Sioux) a contest ensued in which the whiteman was overpowered & slain. A painting left by the four Indians represents the whiteman standing in the door of the Store-room, with an ax in his hand, and the 4 Indians assailing him.

This occurrence is much to be regretted, tho' I see no reason to believe that this is a national act, & have no doubt the Sioux will disavow the murder, and surrender the perpetrators, on the demand of the Agent. It is too far from this place to be attended to by me, and before this time I presume that the Indian Agent at St. Peters has taken the necessary steps to secure the delivery of the Indians. The Agent of the American Fur Company here is so fully convinced that this difficulty has grown out of some personal misunderstanding, or from not understanding each other, that not one Trader has come in nor will any be ordered to leave their posts, tho' extending from about 60 or 70 miles North of Prairie du Chien to Lake Traverse North of the sources of the St. Peters River, and from 100 to 150 miles West of the Mississippi far into the interior of the Sioux country.

From other quarters of the Sioux country, the latest arrivals, are

calculated to increase the confidence in their friendly feelings towards the U. S. strengthen the assurances contained in my letter of the 20 ult. That the disposition of all the Indians on this border is evidently decidedly friendly. A longer residence with, and more practical knowledge of Indians confirms the opinion given by me on a former occasion that, "if the Winnebago murderers in confinement were convicted and subsequently released, it wd. be highly injurious to our Indian intercourse."—emphatically adding, "*a free pardon will be a chart Blanc for innumerable murders.*" Lately whilst interferring to arrest the border war between the Sacs & Foxes & Sioux Indians, my messenger after delivering my speech to them, in which I expressly threatened that if the mild conciliatory measure taken to quiet the disturbance did not succeed, their G. F. the President who would not suffer Indians on his border to war with each other, would certainly and effectually interfere by punishing the aggressors. The chiefs replied in substance, "we are not the aggressors, Morgan the Fox chief commenced an unsuspected warfare upon us, Killed one of our people, and took the two captives now returned by the friendly exertions of the Agents of our Father. Since that time some portions of both nations have been slain between the Des Moines and the Missouri. We now promise our Father that we will remain peaceable unless assailed, untill the ensuing Spring, when we hope our G. F. will settle our line with the Sac's & Foxes, and require them to do us justice for the injury done to us this winter. The Sioux are friendly to the U. S. and desire to do what is pleasing to their G. F. Some years past Sioux were delivered to the Chippewas for the murder of some Chippewas visiting at St. Peters, and put to death. We submitted because we love peace. But now we cannot sit still in our lodges and see our friends killed around us, and submit to it quietly. We will wait & see what our G. F. will do—if he will order Morgan to be given to us—or in what way he means to prevent any more murders of Sioux by the Foxes. The Foxes have not been friends of the white children of our G. F. like the Sioux All the Indians except Sioux have killed his white children, and yet he does not take his *revenge* and his love to the murdering nations is as great or greater than to the Sioux. The Foxes, have not been killed & the Winnebagoes after killing many at several times have been turned loose to Kill more. We cannot understand this. We gave up our people for the Chippewas to kill, and now we ask that the Sac's & Foxe's be given to us. We are friendly & give you our hand in peace." I deeply lament that this occasion was not taken, to impress the Indians with our abhorrence of the principle of *revenge* as understood by them, and that convictions and executions of Indians by their G. F. was to deter others from similar offences. Had the Sub-Agent when sent with the Captive Sioux to their friends, occupied the determined ground assumed in my instructions, and which gave rise to the mission, the most beneficial results would have been experienced and a deep sense

of fearful responsibility as a nation, as well as individually, effectually guarded the path of every white man in the Sioux country. The projected rout was directly through the country where the recent murder has been committed and where the greater part of the hostile Indians reside. The projected rout was abandoned, and one pursued skirting the western bank of the Mississippi, and nowhere approaching the Desmoine or the principal stream of the Terre Blue, where few Indians could be seen of the hostile bands. To these *few*, a spiritless temporising attitude was taken in no way calculated to impress them with the full importance of the interference, and the danger of *lightly disregarding the known wishes* of their G. F. the President. I clearly infer this from the report & subsequent conversations with the Sub-Agent, who enters into the Indian differences as a warm partizan of the Sioux who he encouragingly represents as the most powerful, and almost irresistible nation. In reporting to me that part of the Sioux speeches relating to the Chippewas—the murdering Winnebagoes—he remarked with great emphasis—“*What could I reply to this?*” Considering this appeal quite unanswerable. When to an efficient agent, that was the very fortunate moment to assume the attitude of dictation. To press home to the feelings of the Indians the fixed resolves of their G. F. the efficiency of his interference when he chose to exert it, and that he would not suffer them to judge when that firm steady interference should be successfully exerted. And that in the case of murderers of his white children, he wd. shew his power to punish, and when convictions had been fastened on the culprit, he would shew his mercy in knocking off the bands of the Felon, and letting the guilty go free. That he delighted not in *revenge*; but when his sense of right required it he caused the murderers to be executed as a *terror to others*. I can but deeply lament that I could not in person have performed the rout, or been enabled to send a more efficient agent, whose conduct had not let him down to a level with the Indians themselves. The late murder wd. have been in all probability prevented, as he wd. be in that neighborhood about the time the affair took place. A war between Indians rarely exists long without extending to some lonely white-man.

Anxiously looking forward to the contemplated purchase of the lead mines every effort has been unceasingly used to maintain upon proper principles of dignity and respect, a perfect good understanding with the Winnebagoes. Between 50 and 60 have visited me within the last 8 days and I am expecting many more in the ensuing 10 days. They are passing from their hunting camps on the upper Mississippi to their summer villages & cornfields on & near the Wisconsin & Pine Rivers. They appear perfectly reconciled to sell a *part* of their lands South of the Wisconsin; but say that the Nation must all be present, that their women and children may get their part of the price. That many of their principle chiefs have been to the mines untill they have become

whiskey drinkers, and their heads are, *injured*. The Nation must sell their lands themselves. The chiefs would drink the whole land up and want more. Many of their heretofore distinguished chiefs have become intolerable Sots & are lying two thirds of their time drunk at some of the places on & near the Wisconsin. Among them are several of the Chiefs who went to Washington. Since the establishments of Dodgeville English Prairie, &c., I can apply no effectual corrective. I endeavored to prevent these from going on the Wisconsin but did not succeed. The answer was there is our Summer villages, and corn fields, and all the nation has agreed to meet on the Wisconsin previously to a council, to determine how much of our country we will sell. This latter measure is desirable to us & I therefore only lectured them in relation to drinking and more especially at this time.

The miners are at some places giving away great quantities of whiskey and I shall not be surprised if innumerable difficulties are cast in the way of negotiations by persons wishing to obtain special grants for *half-breeds* with whom they have the necessary secret arrangements.

Under instructions from you, calling my attention to the Act of Congress of 1802, in relation to trespassing &c on Indian lands, and a more specific order of the Secretary of War in relation to the same subject, after the council last summer by Gov. Cass & our mutual friend Col. Menard—I have succeeded in preventing any disturbances with Indians on that subject, tho' not without great vigilance & some personal exposure at an inclement season. I brought back a party of 14 from above on the Mississippi, and they were recognized to appear at court. The *sub-agent* brought in a party of 100 above the portage, on both sides the Wisconsin, much against his judgement & will, as he told me, since when no further attempts to violate the law have been made.

The course of the Sub-Agent has been so entirely adverse to the views of the Agent, acting under a deliberate impartial consideration of the laws, and the instructions of the Department, that a clear development ought to take place. If I have misunderstood the laws, and misconceived the views of the Govt. in endeavoring to prevent a lawless violation of Indian property, by the seizure & arrest of the persons, I ought to be officially instructed to that effect. As my course has been dictated by the law and urged on by the instructions emanating from the Department. The Sub Agent holds the office of Justice of the Peace, and unfortunately we have but *one*. Not only has he shewn & declared a course adverse to the law, but as a Justice of the peace is casting difficulties in the way of the proper execution of the duties growing out of the law of 1802. As well as inspiring ignorant men to resist the legitimate exercise of the proper authority for arresting these marauders. The opinions of *Justice Marsh* are quoted in support of the violations of the laws, and his authority as a civil magistrate made to bear upon the officers executing the trusts reposed in

them. I seized a parcel of Timber that a party had got, who fled before I reached them, the timber was hawled into the Fort for safe keeping a writ of replevin was issued, and the sheriff's man directed to *let it alone*, since Mr. Marsh's return from Ft. Winnebago a forthwith warrant was issued against Major Kearney, and he was held to bail in the sum of 400\$ with surety to appear at the next court to answer for resisting the civil authority. The replevin was issued on the oath of a Foreigner, swearing to a property in Timber obtained by trespass on the U. S. or Ind. lands, it is difficult to say which and still remaining where it was made. The Replevin was not executed the right subsequently abandoned, and the plaintiff requested that nothing further should be done. Yet *Justice Marsh*, has taken it up on the oath of a man professing to be deputy sheriff and held to bail. I have no disposition to injure the man without a cause, yet if he is placed here to aid in the discharge of the duties devolving by law on the Ind. Agent, he is certainly obstructing instead of aiding. And if the Department wish to know more of his course I will *make and sustain these charges against him*.

The Horse left with me by Mr. McNail was given to the *Sub-Agent* to go into the Sioux country, he strayed from his camp and I apprehend is irricoverably lost. In 1827, Marsh sent an express on his Horse to St. Peters—afterwards he obtained Col. Snellings certificate that the Horse was lost in the public service, and recd. the price of him from the Government. The Horse is now found and Marsh claims him. Certainly this Horse belongs to the U. S.—What is your opinion—Shall I take him subject to your order? I had nothing to give the Winnebagoes but corn to plant and provisions, except some inconsiderable articles purchased expressly for the occasion. I had all their tools mended, and gave them all corn to plant. They left me apparently being friendly tho' a little disappointed to get no goods.

If you could forward me some it wd. be a great benefit to the views of the U. S. in relation to the intended treaty for the Mines.

I have heard little from the City—please let me know what has been done, *and is to be done*. Who are to treat with the Winnebagoes & where? I hope you have stood the trip well & have had your health—Who will be our Governor, Judges, Secretary &c. & where will be the Seat of Justice, the Portage?—Make my respects to Mrs. Clark, to Col. Menard when you see him and all friends

Accept for yourself assurances of high respect and unfeigned friendship.

Your mo. Obt. St.,

Jos. M. Street, Ind. Agt.

Gov. Wm. Clark

Superintendent of Ind. aff.;

At St. Louis

Rocky Island, 6th May, 1830.

Sir:

I yesterday received your two letters of the 20th and 22d ult. by Mr. Marsh from the Prairie du Chiens, and had Mr. Taliaferro delivered these letters on his way up, their contents would have been communicated to all the Chiefs of the Sauk and Fox Indians who were then at this place.

Strawberry, the Fox Chief, coming into my quarters, inquired of Mr. Marsh the news from Prairie du Chien. Mr. Marsh told him, that Genl Street and Mr. Rolette told him at P. du Chien, that the Sioux, Winnebago, and Menominee Indians had joined together in confederacy to make war against the Sauk and Fox Indians, and were shortly coming down for that purpose; that the belt of wampum sent by the Sauk Indians, to the Winnebago Indians to assist in making up the matter about killing of a Winnebago woman (by the Stabbing Chief and party last fall or winter at Rolette's Fort, as I presume) was torn to pieces by the Winnebago Indians, and destroyed; that there were many Sioux, Winnebago, and Menominee Indians at P. du Chien continually drunk. This story of Mr. Marsh's will be recollected by the Strawberry and repeated to the Sauk & Fox Indians at their villages at the Grand Mascotin and Thoway river, and, in my opinion, will do much to prevent the Sauk and Fox Indians from going up to P. du Chien to listen to the words of the President about peace, which the elder part of the Sauk and Fox Indians wish for very much. Strawberry, the Fox Chief, left this place this morning, to return to his home near the Flint Hills. By him I sent the wampum, and what you directed me to say to the Indians, about remaining quiet at their homes, and if any war parties were sent out, to send after them and bring them back. It is really lamentable that white people should blow the coal of discord among the Indians, to thwart the good intentions of the Government, and continue, or rather augment, a cruel and barbarous war among the Indians. This news of the confederacy of the Sioux, Winnebago, and Menominee Indians, will not damp the ardour of the Sauk and Fox warriors, and they will meet any attack that may be made from any quarter.

I hope that what Mr. Marsh was informed at P. du Chien, are mere threats, and will not be put into execution; for, if any thing of the like was to take place, the Kickapoos, Chippeways, Ottowas, and Potawattomies, would join the Sauk & Fox Indians, and God only knows when such a war would end.

7th May, 8 o'clock evening.

About four o'clock this afternoon, four Fox Indians arrived express from up the river. They said that four or five days ago, all the principal Fox Indians at Dubuque's mines, set out in canoes to go to Prairie du Chien, on the invitation of Captain Warner, the subagent at Fever River, to meet the Sioux Indians and have a talk with them, at

a prairie below the mouth of the Wisconsin river, on the east side of the Mississippi. The Fox party amounting to sixteen men and one woman, put to shore the day before yesterday, for the purpose of cooking; that while there, the Fox party was attacked by a large party of Sioux, Winnebago and Menominie Indians, and every one killed except one of the Fox party; that this one that was spared, is a half Winnebago & half Fox, and he has one of his arms broken; that he was put in a canoe and pushed off from the shore, and told by some of the Sioux party, to go to his home (at Dubuque's mines) and tell the news; that none of the Fox party were armed, as they were going up to the Prairie to do a good work, therefore had no means of defence, not having taken any guns with them; that Pimiosky—two brothers of the late Kettle Chief, and the Broken or Cut Head are among the slain. Morgan remained at home, and escaped the vengeance of the Sauk and Menominie Indians. My speech and wampum sent yesterday by Strawberry to the Sauk and Fox villages, to prevent any more war parties from going out, and to send and bring back any war parties that may now be out, was to be delivered to the Sauk and Fox Chiefs this day, and the runners that left this, with the news of the killing the Fox Indians by the Sioux, &c will reach the Sauk and Fox villages below this to-morrow; therefore there will be a very great contradiction in what they heard to-day from Strawberry, and what they will hear to-morrow from the runners from this place. It is impossible but many persons about Prairie du Chien must have known of the Fox Indians going up to P. du Chien, and also have known of the preparations made by the Sioux, Winnebago, and Menominie Indians to attack the Fox Indians on their way up; and I must certainly say it will make some of the Agents of Government look little in the eyes of the Indians hereafter. From this affair happening to the Fox Indians, it will put an end (in my opinion) to any meeting this summer at Prairie du Chien, among the hostile nations of Indians.

I remain, very respectfully,

Your Obt. Servt.

(Signed) THOMAS FORSYTH.

Genl. William Clark

Supt. Ind. Affs. St. Louis

PIONEER WATER POWER MILLS OF DALLAS COUNTY

By FRANK HOEYE

When Randall Parrish in his fiction dreams journeyed from the Miami Indian country in Indiana along the sand dunes of Lake Michigan to Fort Dearborn, and then across Illinois only to be halted by the "Father of Waters" he looked toward the west and saw the high and rugged timbered bluffs upon the other side silhouetted against the setting sun. It was then he exclaimed, "Surely wilderness is king." Dreamer that he was his imagination did not picture to him that the most fertile spot on earth lay just over the hilltops.

In my own imaginings I have tried to picture just what this wonderful spot, Iowa, looked like before civilization made marks upon it, so I took down my Iowa from the wall and divested it of all the sectional, township and county lines, of all its villages and cities, farms, fences and barns, highways and railways, and its colorings, and there it was in all its native nakedness; with just its innumerable creeks and rivers, its hills and its valleys, its groves and its grasses, its herds of deer and buffalo and all wild life in contentment and perfect security. In my fancy I saw a great giant upon his back with nerves and arteries exposed, his head cooled by a great stream and his feet by another. The yet unchristened creeks and rivers seemed to be the nerves and the arteries leading toward some great nerve center giving out life in their crooked courses.

After civilization had christened them there was the Des Moines, with its big bends "flowing diagonally through the heart of a wonderful land like a ribbon flung from a generous hand"; there was the Boone, the Upper Iowa, the Turkey, the Maquoketa, the Wapsipinicon, the Cedar, the Iowa, the Skunks, the Chariton, the Raccoons, the North and the Grand, the Nodaways and the Nishnabotnas and the Little Sioux and hundreds of other smaller streams, meandering in every direction, affording drainage and moisture to this wonderful land which no other spot on earth possessed to such a degree.

And then there was the great Mississippi on the east, and the

muddy Missouri and the Big Sioux on the west, marking the starting and stopping places of this wonderfully watered paradise. This was the fanciful view I got of my native state just as the Almighty had created it and before man started to mar its surface for the sake of home and family.

When I had reinvested my Iowa with all I had taken away, there it was again with its fertile farms, contented homes and prosperous villages and cities; there was its Historical Department with its competent curator, gathering and preserving valuable data and pioneer pieces that posterity might view the great progress of our state's civilization; the Conservation Board dedicating spots where runs and rocks, hills and ledges and trees were purposely placed by the Creator for a play ground; the Fish and Game Department preserving the wild life of prairie, forest and stream—all these convincing me that this view of early Iowa is not sentimental, but fascinating, beautiful and real, its transformation marvelous, and its present the peak of intelligent civilization.

The soil and the streams and the groves and the grasses are not all the charms of this paradise land. To the artistic the Iowa mirage at sunrise or sunset is more beautiful than seen or conceived in any other spot in the world. This illusion reveals mountains and valleys, trees, lakes, streams and villages in the most beautiful colorings. One writer said "It just seemed like the Almighty had taken the tail of a rainbow for a paint brush and dipping it in the sunset limned out an illimitable canvas of colors such as never came from the pallet of any human artist."

All this is more artistic than useful, but it is in Iowa and is only mentioned to impress you that all the beauty is not in Colorado or the Grand Canyon.

There were two necessary conditions to invite pioneers to settle—water and fuel—and both were abundant. No spot was more inviting than our own Dallas County, with its heavily timbered tracts along the Des Moines, the three Raccoons and the many smaller streams. Then there was the excellent water power for mills and it is the mills and the millers of the early days I had in mind to write about when this dreamy introduction suggested itself. As a youngster I loved the great prairies, and the streams

were most fascinating to me, especially in the flood times of June and September.

North Raccoon, the Middle Fork and the South Fork, afforded sites for innumerable gristmills and sawmills. There was the big mill at Adel. I believe it was built by Moffitt & Strong, sold by them to Haste Hill and Jim Noakes. Sam Davidson owned it for a while and then came the Baileys and they sold to J. R. Van Meter, and he to the Adel Milling Co. Then the Macy and Hancock ownerships followed. Moffitt was a brother of David Moffitt, who became the richest and most progressive citizen Colorado ever had. Just now they are celebrating the completion of a great tunnel through the backbone of the Rocky Mountains, the result of his dream and initiative. This man came to Adel to live with his brother, Hezekiah, but became restless and went to Denver when it was an outpost. His father later married Mrs. Jacob Frush, grandmother of the present editor of the *News*, as well as Verne and Cedric Russell. Haste Hill was the grandfather of Mayor Harry Hill. This mill was long the mecca for settlers for miles around to bring their "grist." The history of it for the last thirty years is familiar to most Adel people. The late Don McColl and myself visited this mill a few days before it burned and Mr. McColl commented upon the large amount of native cherry and walnut lumber used on the inside woodwork.

There were mills all over the county. Atkinson's mill was near Dawson, where Len Chance as a bareheaded boy helped to build the dam. He was red-headed but his hair at seventy years was jet black and his whiskers a greyish red. He said his hair changed from red to black the hot summer he put in on the dam.

There was Judge Thornburg's mill south of Perry. He was a probate judge and later a state senator. John Shiveley, a nephew, made his home there. John watched the tedious job of dressing the granite burrs by hand and later invented a machine for doing it. He refused \$10,000 for it, but held out for more. About that time the roller process came into use, and John's machine was out of date. There was also a sawmill in connection with this mill. Years ago this mill was closed and dismantled and the machinery sold to Sac City people.

Some time after the Des Moines Valley Railroad was built the Selby Bros. erected a large steam mill at Perry. This was

later sold to A. W. Otis of Des Moines, and then to Kenworthy Bros. They operated for a few years and soon after disposing of it fire destroyed it. The boiler used in this mill came out of a steamboat sunk near Vicksburg at the close of the Civil War, and afterward raised and brought to Keokuk. The old whistle came with it and Perry people complained about the loud and weird noises it could make.

There was Pierce's mill at Pierce's Point, near Minburn, and later a man named Gerber built a sawmill near it.

William Ruth had a small mill over on the Des Moines River in the vicinity of old Xenia.

Harvey's mill north of Redfield was another. At Redfield there was still another. I don't remember who built it, but J. R. Sheely owned it in later years.

There was a gristmill and woolen mill at Wescotta. The gristmill was operated by a man named Horner, a Quaker. It was swept away by a June flood. He was informed by Tom Redfield that it had fallen into the river and he excitedly inquired, "Which way did it go?" Tom still tells this story and it must have been true.

Mitchell's mill was in Adams Township and was a very successful one for many years.

The Van Meters were perhaps the most successful millers the county ever had. H. G. Van Meter owned a mill two or three miles north of De Soto. He became the wealthiest man in Dallas County. He was elected representative and was considered one of the best men the county ever had. This mill was built by J. R. Van Meter, who sold it to his brothers, H. G. Van Meter and J. J. Van Meter.

After the Civil War J. R. Van Meter purchased land at the junction of the North Coon and South Coon, erected a sawmill, and opened a stone quarry. He sawed from native timber the lumber to build a two-story house of eight rooms, also the lumber to build the mill and two large custom barns. He quarried stone for the foundation of the mill. The machinery for both mills, the one on South Coon and the one on Middle Coon, was purchased in Buffalo, New York. When the South Coon mill was built all machinery was hauled from Grinnell, the end of the railroad, to the millsite, two and one half miles north of De Soto.

The machinery for the Middle Coon mill was hauled from Des Moines, then the end of the railroad, to what is now the town of Van Meter.

When the Rock Island was built west from Des Moines the town of Van Meter was named for J. R. Van Meter. The products of this mill were popular and were sold in many parts of the state. He was one of the first millers to put in the roller process. I remember the paper sacks he used. The trade-mark was two coons standing on their hind legs (symbolic of the two rivers) and underneath, the inscription "New Roller Process Flour." I also remember that T. J. Boak was a groceryman at Adel, and that there was an Irishman there named Pat Keating. Pat had heard about this wonderful new flour, and this is the way he asked about it: "Mr. Boak, have ye any of the New Progress flour wid de monkeys on it?" Mr. Boak had. He often told this incident, and it served to advertise the flour. After a successful run for many years, this great mill succumbed to a flood March 29, 1884, and was supplanted years afterward by a steam mill. This was operated a few years, but finally dismantled and the machinery shipped to South Dakota. J. R. Van Meter was always active in home and county matters and like all the millers of the early days was looked up to as a leading citizen.

All of the mills mentioned have long since ceased to operate. The day of taking "your grist to mill" has passed. Here and there you find a steam operated mill, but the water power mill is gone and the toll that was taken is paid now in cash, mostly to mills outside the state.

The earliest sawmill was operated by the Magarts just south-east of Adel. There are many houses remaining in Adel built from the lumber sawed at this mill. In fact all of the houses in Adel were built from lumber sawed at this mill up to the time the North Western Railroad reached Boone. That was about 1865. The first house to be built of pine lumber in Adel was the Sam Garoutte home. The next was the John Warford home east of the Court House, and the next the Len Chance home on the farm just southwest of Adel. My father had the contract for building all these, and hauled the lumber from Boone.

Goughnour's mill, located in the north part of Adel, was the largest in the county, and operated for many years.

The tractor or the Ford furnishes the power now-a-days for about all the log-sawing that is done. Surely our needs have changed, but all these enterprises filled a useful place in our early development.

The *Des Moines Register* has recently been printing some notes from a handbook published in 1857. Seventy years ago the water power was noticed, and more mills were needed. Here is an article as it appeared in a recent issue of the *Register*:

"Dallas County, southwest central Iowa, first settled in 1846, has an area of 576 square miles of productive soil, healthily located, and 4,000 inhabitants. It is well supplied with water-power, being traversed by Raccoon River and Beaver Creek, and is intersected by the state road from DeMoines City to Council Bluffs. There are in the county five prosperous public schools, five water and one steam sawmill, several busy stores and shops, and other indications of thrift, but flourishing mills and factories are much needed, and would well repay a liberal investment. Adel (county seat), eligibly situated on the west side of Raccoon River, 150 miles west of Iowa City—directly on the line of travel from the East to California, Oregon and Utah—has an enterprising population of 500, already supports a newspaper and several respectable stores. Boone, McKay, Uncle Sam and Wiscotta are the other post towns."

TO DRY TOMATOES

Scald full ripe tomatoes in hot water to get the skin off. When skinned, boil them well with a little sugar and salt, but no water, and then spread in cakes, about an inch thick, in the sun. They will dry enough in three or four days to pack away in bags, which should hang in a dry room.—*Hawkeye and Iowa Patriot*, Burlington, I. T., October 22, 1840. (In the Newspaper Division of the Historical, Memorial and Art Department of Iowa.)

"PRACTICAL POLITICS," AS EXPERIENCED BY AN IOWA PIONEER LEGISLATOR

Daniel Kerr

W. G. Kerr

KERR & KERR
Attorneys-at-Law
Office in New Kerr Block

Grundy Center, Iowa,
July 18, 1906.

Johnson Brigham,¹

My dear friend:

Your very kind letter of the 16th came to hand Saturday. I am seventy years old today and it was a pleasant surprise to receive your letter, and there are very few living from whom such a letter would have been a greater pleasure. You had about as fair a chance to examine my record and to judge of my motives as any one and hence your commendation is a sincere pleasure. In looking back over my life, I mean my political life, in view of the recent reawakening of the public conscience, I sometimes almost wonder where I got the impulses that determined my action, and I think a sentiment my mother often gave me as a rule had as much influence as any other, namely: "Avoid the appearance of evil."

In my first legislative session as a member of the Illinois legislature a gentleman who was president of a mutual insurance company which had been changed to a stock company said to me that they desired some amendments to their charter, and that if I would assist them to have them made he would be pleased to favor me with some stock in the new company. I was under some obligations to the gentleman as he was president of a school board and had given me a position in a city school, and as examiner had given me a certificate some years before, but I said to him that if they were proper amendments I would be glad to favor them but that I would not think of taking any stock for my services. He told an old friend, the editor of the *Alton Telegraph*, that he was afraid he had offended me, but he never mentioned the matter to me again. I had many offers to introduce bills for charters in which my name was proposed as one of the members, but in every case I refused and would introduce no such bills unless assured that it was to accomplish some good public purpose, and none in which I was named as a member.

I never used a dollar in a way that I was not willing it should be

¹Johnson Brigham, state librarian since 1898, was editor of the *Cedar Rapids Republican*, the leading newspaper of the Fifth District, during Mr. Kerr's political career, and was, as indicated in this letter, a loyal supporter of the Congressman. Mr. Brigham kindly allows the *ANNALS* to publish this letter.—Editor,

published. One very disturbing case occurred. I was informed by the editor of the *Belle Plaine Union*, then editing the paper at Dysart, that a certain man in Geneseo Township, Tama County, had been hired to work for the Democratic candidate for judge and for Congress, but that if fifteen dollars was given him he could be bought off. I said I would use no money for any such purpose, but the rascal changed about ten votes and the Republican candidate for judge was beaten by only three majority. In my first campaign in Illinois I was told if I did not treat I would be beaten, but I said I would not pay any such penalty for an election, and was elected over an old Democratic politician who spent money in all the saloons, by about 1200 majority in a close district. The man I defeated had been senator before and was subsequently a member of the House. In all my experience I never asked a man to vote for me, and never suggested any one as a delegate for me in any convention, nor made any pledge except such as was implied by my public profession of principles. I never asked for a railroad pass and never used one except those sent me when I was a member of the legislature.

I never had any great anxiety to be in public life, and still think that a long tenant in office gradually comes to be a representative and easily develops into a boss, some of course more easily than others. One of the choicest recollections of my public life was this: John W. Ross, a nephew of General Ross of Illinois, was a member with me in the Illinois legislature. He was the youngest member and I was the next youngest. We were both favored by being made members of the Judiciary Committee. One evening we were sitting on the steps of the Leland Hotel. I said to him, "Mr. Ross, I think you intend to be governed by high and pure motives in public life and wish to bear an untarnished name, and if you do you had better vote against the Lake Front Bill" which I had learned was being aided by bribery, and he did vote against it. I had not ever heard of him for years, but he had gone to Washington, and he called on me and said, "I have always thought of your talk with me on the steps of the Leland Hotel." He was made postmaster at Washington by Cleveland and had such a fine character and record that President Harrison made him president of the district government.

It did not break my heart to retire from public life, and fifteen years after I don't feel as if my mental vigor is impaired. I have often regretted that I did not carry out my purpose to retire from the contest for governor because I was morally certain that Wheeler would be nominated. I had got some letters strongly urging me to run, and among them one from Phil Schaller who went so far as to say he would not vote for Wheeler; also a letter from Mr. Farwell of Jones County in which I was promised his support, but told him not to commit himself to me, a letter which somehow he did not understand, for I counted him one of my most valued friends. I was fearful that the candidate

for lieutenant governor would be offended because I did not retire, but I met Mr. Poyneer afterwards and I found he did not care.

Thanking you again for your kind remembrance, and also again for the uniform support you gave me while in public life, and wishing for you many years of life and usefulness, I have the honor to be

Very truly yours,

DANIEL KERR.

GOVERNOR GEAR WRITES HIS PRIVATE SECRETARY

Washington, D. C., February 10, 1894.

Wm. H. Fleming Esq.

Des Moines, Iowa.

My Dear Fleming:

I am in receipt of the three copies of the paper with sundry articles, evidently written by yourself. Wm. Thompson of the First Cavalry was never anything but a major. Fitz Henry Warren was its first colonel.

Apropos of the election between Miller and Thompson, you may have forgotten that the poll books of the Kaneshville precinct were stolen and a contest ensued for the seat. Charles Mason, late Chief Justice of the Territory, was counsel for Thompson. In a discussion in a law office in Keokuk on the case the question was raised "What has become of the poll books?" Mason had on an overcoat and in rising from his chair a bundle dropped out. On investigation it proved to be the stolen poll books. Such is the truth of history.

I notice the flags are to be moved to the State House and put in cases prepared for them. I wish that you would write an article to Lafe Young's paper, calling attention to the fact that if it had not been for the six months' hard work of my wife those flags would not have been in a state of preservation at this time. You know all about it.

Yours truly,

JNO. H. GEAR.

"STATE SONG," "CORN SONG," AND "IOWA— BEAUTIFUL LAND"

The Iowa official state song is "The Song of Iowa," words by Maj. S. H. M. Byers of Des Moines, more recently of Los Angeles, California, air "Maryland, My Maryland." It was made the official state song by the Thirty-fourth General Assembly, 1911, as shown by the journals as follows:

[Charles J.] Fulton of Jefferson called up concurrent resolution relative to state song and moved its adoption.

Whereas, The patriotic song of Iowa by S. H. M. Byers has for years been sung in all the schools of the state and on thousands of public occasions, political and social, and wherever Iowa people come together in other states, therefore be it,

Resolved, By the House, the Senate concurring, that it be hereby declared to be recognized as the state song.

Motion prevailed and resolution was adopted.—House Journal, March 18, page 1085.

Senator [John B.] Sullivan called up the House concurrent resolution relative to a state song.

Senator Sullivan moved that the Senate concur in the House concurrent resolution.

Motion prevailed.—Senate Journal, March 24, page 1058.

"The Iowa Corn Song," while not legally adopted as an official song, has attained national fame. The original stanza was written by George E. Hamilton, and the music arranged by J. T. Beeston, both of Des Moines, for the Shrine pilgrimage to Los Angeles in 1912, and sung for the first time then. Mr. Hamilton and his friends have added additional lines from time to time until the words and music (pages 54 and 55) are in current use.

Another Iowa song that attained great popularity and which has been used on many state occasions is "Iowa—Beautiful Land," by Tacitus Hussey, a pioneer printer, newspaper writer and poet of Des Moines. Music for it was written by Hon. Horace M. Towner, now governor of Porto Rico. It was copyrighted in 1899.

The Song of Iowa.

Air: "Der Tannenbaum."* (My Maryland.)

By S. H. M. BYERS.

1. You ask what land I love the best, I - o - wa, 'tis I - o - wa, The
 2. See yon - der fields of tassel'd corn, I - o - wa, in I - o - wa, Where

fair - est State of all the west, I - o - wa, O! I - o - wa. From
 Plen - ty fills her gold - en horn, I - o - wa, in I - o - wa. See

you - der Mis - sis - sip - pi's stream To where Mis - sou - ri's wa - ters gleam O!
 how her won - drous prai - ries shine To yon - der sun - set's pur - pling line, O!

fair it is as po - et's dream, I - o - wa, in I - o - wa.
 hap - py land, O! land of mine, I - o - wa, O! I - o - wa.

3 And she has maids whose laughing eyes,
 Iowa, O! Iowa,
 To him who loves were Paradise,
 Iowa, O! Iowa.
 O! happiest fate that e'er was known,
 Such eyes to shine for one alone,
 To call such beauty all his own,
 Iowa, O! Iowa.

4 Go read the story of thy past,
 Iowa, O! Iowa,
 What glorious deeds, what fame thou hast!
 Iowa, O! Iowa.
 So long as time's great cycle runs,
 Or nations weep their fallen ones,
 Thou'lt not forget thy patriot sons,
 Iowa, O! Iowa.

* "Der Tannenbaum," the old air to which this song is sung, was a popular German Students' song as early as 1819. It had been a Volks song long before that, even. During our Civil War, the Southerners adapted it to the song, "My Maryland."

Iowa Corn Song

Lyric by { RAY W. LOCKARD &
GEORGE HAMILTON

Music by EDWARD RILEY

The musical score is written for piano and voice. It begins with a piano introduction in G major, 2/4 time, featuring a triplet of eighth notes in the right hand and a steady bass line in the left hand. The vocal melody enters in the second measure. The lyrics are as follows:

Let's sing of Grand old I - O - WAY, Yo - ho, yo - ho, yo - ho, Our
 Our land is full of ripe - ning corn, Yo - ho, yo - ho, yo - ho, We've
 love is strong - er ev - 'ry day, Yo - ho, yo - ho, yo - ho So
 watched it grow both night and morn, Yo - ho, yo - ho, yo - ho. But
 ome a - long and join the throng, Sev - 'ral hun - dred thou - sand strong,
 now we rest, we've stood the test, All that's good we have, the best,

As you come just sing this song, Yo - ho yo - ho yo - ho We're from
I - o - way has reached the crest, Yo - ho yo - ho, yo - ho

CHORUS

I - o - way, I - o - way State of all the land,

Joy on ev - 'ry hand. We're from I - o - way, I - o - way

That's where the tall corn grows. We're from grows.

Chorus Borrowed from "Travelling," by George Botsford

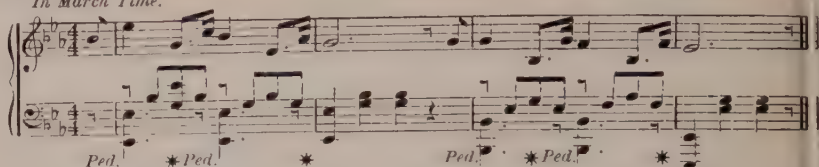
Copyrighted by Jerome H. Remick & Co.

IOWA—"BEAUTIFUL LAND."

Words by TACITUS HUSSEY.
Des Moines, Iowa.
In March Time.

Music by H. M. TOWNER.
Corning, Iowa.

PIANO.



SOLO, OR VOICES IN UNISON.

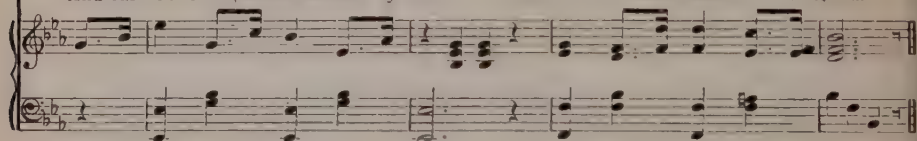
1. A song for our dear Hawk-eye State!
2. The corn-fields of bil-low-y gold,
3. Her tale of the past has been told,
4. Then sing to the praise of our God,

I - o - wa—"Beau-ti-ful Land;"
In I - o - wa—"Beau-ti-ful Land;"
Of I - o - wa—"Beau-ti-ful Land;"
Of I - o - wa—"Beau-ti-ful Land;"



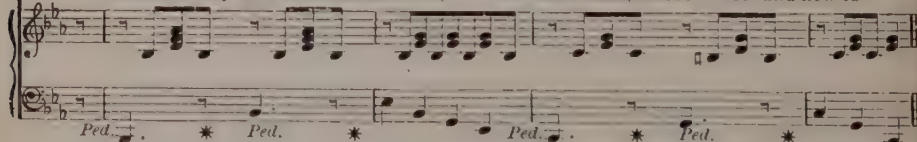
As a bird sings of love to his mate,
Are smil-ing with treas-ure un-told,
The fu-ture is not yet un-rolled,
And our fa-ters, whose feet ear-ly trod

In I - o - wa—"Beau-ti-ful Land;"
In I - o - wa—"Beau-ti-ful Land;"
Of I - o - wa—"Beau-ti-ful Land;"
This I - o - wa—"Beau-ti-ful Land;"



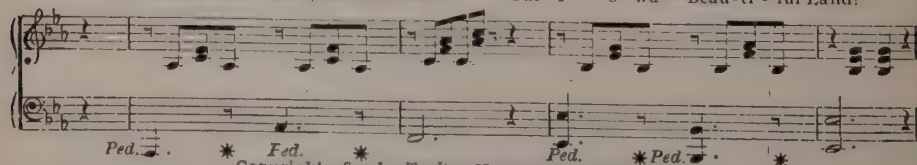
The land of wide prai-ries and trees;
The food hope of na-tions is she,
The Past! How high on fame's scroll
A land kissed by sun-shine and show'rs;

Sweet clo-ver and hum-ming of bees,
With love o-ver-flow-ing and free
She has writ-ten her dead he-roes roll!
Of corn lands, wild ro-ses and flow'rs--



While kine breath adds per-fume to these,
As her riv-ers, which run to the sea,
The Fu-ture! Fear not for thy goal,
Oh! thrice bless-ed land, this of ours!

In I - o - wa—"Beau-ti-ful Land!"
In I - o - wa—"Beau-ti-ful Land!"
O I - o - wa—"Beau-ti-ful Land!"
Our I - o - wa—"Beau-ti-ful Land!"



Copyright, 1899, by Tacitus Hussey, Des Moines, Iowa.

CHORUS.
f SOPRANOS.

Crown her! Crown her! Crown her! Crown her with corn, this Queen of the West,

ALTOS.

f TENORS.

BASSES.

f PIANO.

Iowa—"Beautiful Land." 2.

IOWA TERRITORY AND GENERAL JACKSON'S FINE

BY DAVID C. MOTT

Pioneers of Iowa were as much, or more, acquainted with national affairs as are our citizens today. In 1813 the whole country was discussing whether the fine imposed on General Andrew Jackson at New Orleans in 1815 should be remitted. Files of newspapers in this department, and proceedings of our Territorial Assembly, show the people here had decided opinions on the subject.

The facts are these: On the approach of the British fleet, or on December 16, 1814, General Jackson placed New Orleans and the adjacent region under martial law. The population of mixed Spanish, French, and Creole, none too friendly to United States government, somewhat irked under Jackson's order. The famous battle occurred January 8, 1815. For some time thereafter the British continued to receive re-enforcements of soldiers embarked from England before the treaty of peace at Ghent was signed. By January 27 the British near New Orleans had embarked in their ships and soon thereafter the fleet sailed around to Mobile Bay and attacked and captured Fort Bowyer in that harbor. Rumors that peace had been agreed upon had reached New Orleans, but Jackson's sleepless vigilance and caution would not permit him to slacken the restraints of martial law. A few small politicians led the agitation to restore civil government. By February 18 news of the signing of the treaty reached New Orleans, but Jackson's sleepless vigilance and cautions had reached General Jackson, who besought patience of the people until the good news should come through our own government. On February 21 the *Louisiana Gazette* published a paragraph stating that "a flag has just arrived from Admiral Cochrane to General Jackson officially announcing the conclusion of peace at Ghent between the United States and Great Britain, and virtually requesting a suspension of arms." General Jackson at once sent a communication to the editor denouncing the statement as untrue, and requiring publication of a correction, which was made. But in the *Gazette* of March 3 an

article appeared in French making an appeal to the French of the city and state to resist the authority of the American general. The tone was moderate and complimentary to General Jackson, but he summoned the editor to headquarters, and demanded the name of the author. The editor said it was M. Louaillier, a member of the legislature. Two days later Louaillier was arrested by the provost guard and placed in confinement in the officers' quarters of the barracks. Pierre Louis Morel, a French lawyer, as counsel for Louaillier, at once went before Judge D. A. Hall, United States judge of the District Court of Louisiana, and obtained a writ of habeas corpus, which was served on General Jackson the same day. General Jackson then issued the following order: "Having received proof that Dominick A. Hall has been aiding and abetting and exciting mutiny within my camp, you will forthwith order a detachment to arrest and confine him and report to me as soon as arrested. (Signed) A. Jackson, Maj. Gen. Commanding." Judge Hall was arrested and confined in the barracks along with Louaillier. The latter was placed on trial by court martial, but only arraigned. Judge Hall was sent beyond the lines of sentinels with orders to stay outside "until the ratification of peace shall be regularly announced, or until the British forces shall have left the southern coast."

On March 13 General Jackson received dispatches from Washington announcing the ratification of the treaty by the Senate, and within an hour thereafter a general order was posted through all the public places abrogating martial law, restoring civil authority, and granting immunity for all military offenses. The volunteers returned home. General Jackson, with a small detachment of regular troops, remained. He was busy, among other things, settling claims of citizens whose supplies had been taken or seized under martial law. On March 24 Judge Hall, who had resumed his duties on the bench, issued a bench warrant for the apprehension of Andrew Jackson, charging him with contempt of court. The General promptly appeared with his counsel, Edward Livingston. The latter was allowed to proceed but a short time in presenting the defense when the judge interrupted, summarily adjudged General Jackson to be in contempt, and fined him a thousand dollars, to be paid on or before March

31. As the General left the court room the people seized him, raised him upon their shoulders, bore him into the street, denounced Judge Hall, and created disorder. The General quieted them, asked them to observe the peace, repaired to his headquarters and sent the court by an orderly his check for the amount of the fine. (See "History of Andrew Jackson," by A. C. Bell, Vol. II, pp. 50-90.)

This closed the episode for the time, or until his presidential campaigns, when it was revived to some extent by the Whigs, but without much effect. After General Jackson retired from the presidency in 1837, he became financially embarrassed, and was accommodated by loans from his friends. When this became known to others a bill was introduced in Congress March 10, 1842, by Senator Linn of Missouri to remit the fine of \$1,000 imposed by Judge Hall. This aroused much discussion over the country and bitter opposition from the Whigs. In Iowa the *Bloomington* (afterward Muscatine) *Herald* (Democratic) of August 8, 1842, noted with favor the introduction in Congress of the bill to refund the fine, and in its edition of April 15 gave at length a statement rehearsing the facts and justifying the General. The *Lee County Democrat* (Democratic) of Fort Madison in its edition of June 25, 1842, editorially denounced the Whig House of Congress for providing to refund the fine, but approving the course of Judge Hall in imposing it. It published a letter of General Jackson on the subject.

The Fifth Territorial Assembly of Iowa met at Iowa City December 6, 1842, during the height of this controversy. The legislatures of several states had already passed resolutions petitioning Congress to reimburse General Jackson, and the Democrats of the assembly of Iowa Territory evidently were of a mind that they should do the same. On February 10, 1843, Thomas Rogers of Dubuque County introduced "H. R. F. No. 120, a joint resolution relative to the repayment of the fine imposed upon General Jackson, which was read a first time." The next day it was read a second time and on motion of Thomas McMillan of Henry County it was "committed to the Committee of the Whole and made the order of the day for Tuesday." February 15 it was considered in Committee of the Whole, Henry Felkner of Johnson County in the chair, and after some time

the committee rose and reported it back to the House with an amendment, which was agreed to. George H. Walworth of the Cedar-Linn-Jones District "moved to amend by inserting the following after the third resolution of the same: Provided that nothing contained in these resolutions shall be so construed as to reflect any disrespect upon the conduct and decision of Judge Hall, in imposing said fine." Mr. Lewis of Van Buren County moved to adjourn, which motion was lost. The question was then taken upon the adoption of the proviso, by yeas and nays.

Those who voted in the affirmative were David E. Blair, Des Moines Co.; David Bunker, Washington Co.; Evan Jay, Henry Co.; Isaac N. Lewis, Van Buren Co.; Thomas McMillan, Henry Co.; Joseph Newell, Louisa Co.; Joseph M. Robertson, Scott Co.; David J. Sales, Des Moines Co.; William Steele, Lee Co.; Err Thornton, Muscatine Co.; George H. Wolworth, Cedar-Linn-Jones Dist.; Paton Wilson, Henry Co., 12, all of whom were Whigs.

Those who voted in the negative were Frederick Andros, Dubuque Co.; Rickey D. Barton, Van Buren Co.; John C. Berry, Linn Co.; James Brierly, Lee Co.; Ansel Briggs, Jackson Co.; John W. Culbertson, Jefferson Co.; Henry Felkner, Johnson Co.; Eli Goddard, Clinton Co.; Abner Hackleman, Des Moines Co.; George Hepner, Des Moines Co.; E. S. McCulloch, Lee Co.; Thomas Rogers, Dubuque Co.; Samuel Swearingen, Van Buren Co.; Speaker, James M. Morgan, Des Moines Co., 14, all of whom were Democrats. So the motion was lost.

Mr. Walworth "moved to amend the third resolution by inserting the following: Provided, that the provisions of this resolution shall not be so construed as to express any opinion in relation to the conduct or decision of Judge Hall in imposing said fine," upon which the yeas and nays were ordered.

Those who voted in the affirmative were Blair, Bunker, Jay, Lewis, McMillian, Newell, Robertson, Sales, Steele, Thornton, Walworth, Wilson.—12.

Those who voted in the negative were Andros, Barton, Berry, Brierly, Briggs, Culbertson, Felkner, Goddard, Hackleman, Hepner, McCulloch, Rogers, Swearingen, Speaker.—14. So the motion was lost.

Payton Wilson of Henry County moved to adjourn, which motion was lost.

Mr. Rogers "moved to suspend the forty-second rule [which prohibited the second and third reading to be made on the same day without special order of the house] and that the joint resolution be read a third time now," upon which the yeas and nays were ordered, yeas 17, nays 9.

Those who voted in the affirmative were Andros, Barton, Berry, Brierly, Briggs, Culbertson, Felkner, Goddard, Hackleman, Hepner, Lewis, McCulloch, Robertson, Rogers, Steele, Swearingen, Speaker.—17.

Those who voted in the affirmative were Andros, Barton, Berry, McMillan, Newell, Sales, Thornton, Walworth, Wilson.—9. So the motion was lost for want of a two-thirds majority.

David J. Sales of Des Moines County moved to adjourn, which motion was lost.

Mr. Rogers "moved that the resolution be engrossed and read a third time tomorrow," upon which motion the yeas and nays were ordered.

Those who voted in the affirmative were Andros, Barton, Berry, Brierly, Briggs, Culbertson, Felkner, Goddard, Hackleman, Hepner, Lewis, McCulloch, Rogers, Swearingen, Walworth, Speaker.—16.

Those who voted in the negative were, Blair, Bunker, Jay, McMillan, Newell, Robertson, Sales, Steele, Thornton, Wilson.—10. So the motion was agreed to.

On February 16 Riekey D. Barton of Van Buren County from the committee on engrossed bills reported they examined H. R. F. No. 120, joint resolution relative to the repayment of the fine imposed on General Jackson and found the same to be correctly engrossed.

The resolution was then read a third time. Frederick Andros of Dubuque County moved to amend the same by adding the following: "Resolved, that we believe the fine imposed by Judge Hall on General Jackson was uncalled for by the circumstances of the case, and was an act of injustice to the veteran hero, savoring of the spirit of vindictiveness and jealousy." Mr. Andros asked leave to withdraw the same, upon which the yeas and nays were called.

Those who voted in the affirmative were Andros, Barton, Berry, Brierly, Briggs, Culbertson, Felkner, Goddard, Hackleman, Hepner, Steele, Swearingen, Thornton, Speaker.—18.

Those who voted in the negative were, Blair, Bunker, Jay, McMillan, Sales.—5. So leave was granted.

Isaac N. Lewis of Van Buren County moved to amend by adding the following to the same: "Resolved further that the present legislative assembly pay General Jackson back the fine imposed on him by Judge Hall and that each member of this legislature pay his proportional part to the chief clerk of this House for this purpose."

Abner Hackleman of Des Moines County moved to amend the amendment by inserting the following thereto: "Provided the gentleman from Van Buren County be employed to carry the same to General Jackson and deliver the same without any compensation," which motion was lost.

The question was then taken on the original amendment, the yeas and nays were ordered; yeas 1, nays 22, Mr. Lewis being the only one voting in the affirmative.

The question was then taken upon the passage of the resolution by yeas and nays.

Those who voted in the affirmative were, Andros, Barton, Berry, Blair, Brierly, Briggs, Culbertson, Felkner, Goddard, Hackleman, Hepner, Lewis, McCulloch, Rogers, Sales, Steele, Swearingen, Thornton, Speaker.—19.

Those who voted in the negative were, Bunker, Jay, McMillan, Robertson.—4. So the motion was agreed to and the same read a third time, passed and the title agreed to.

During the afternoon session of the Council of the same day, February 16, being the last day but one of that session, the resolution was messaged over from the House as having passed that body. Dr. John D. Elbert of Van Buren County, president of the Council, seems to have vacated the chair for the purpose of taking part in the proceedings. The following record appears in the journal of the Council at that time: "On motion of Mr. Elbert, ordered that No. 120, H. R. F., Joint Resolution relative to the repayment of the fine imposed upon General Jackson, be taken from the table. On motion of Mr. Elbert, ordered, that the Thirteenth Rule [which prohibited the second and third reading to be made on the same day without special order of the Council] be suspended and said resolution be read a third time now. The resolution was then read a third time. On motion of Mr. Elbert,

ordered, that said resolution do lie upon the table." The reasons for the Council, which stood seven Democrats to six Whigs, tabling the resolution without even a roll call, and not again calling it up, are not revealed.

Just one year to a day after this final episode in the Iowa Territorial Assembly, or on February 16, 1844, Congress passed the act, which was approved, remitting the fine to General Jackson, which, with the interest, then amounted to \$2,732. Then, a little over a year later, or on June 8, 1845, the heroic old warrior and statesman peacefully passed to rest.

PRINTERS' FESTIVAL

The editors, ex-editors, and printers assembled at Des Moines to the number of seventy, had a good time generally at the Collin's House last evening at the Printers' Festival. The assemblage embraced several gentlemen who have figured conspicuously in the editorial arena. We have only time and room to say that the host of the Collin's House did himself honor by the feast of good things prepared for the occasion.—*The Iowa Citizen*, Des Moines, January 19, 1858. (In the newspaper collection of the Historical, Memorial and Art Department of Iowa.)

GREELEY'S ALMANAC

This indispensable political calendar for 1858 has been placed on our table, through the politeness of the publishers. Contents, as usual, exceedingly valuable for reference to all who are interested in the political history of the country. The election returns of the past year, members of Congress, laws of late Congress, national platforms, &c., are among the contents; with historic sketches of events in Kansas, &c.—*The Iowa Citizen*, Des Moines, January 30, 1858. (In the newspaper collection of the Historical, Memorial and Art Department of Iowa.)

ANNALS OF IOWA

EDITORIAL DEPARTMENT

INDIAN SEPULTURE

In their recollections concerning the sepulture of Wabaunsee, Moses Gaylord, in this issue of the ANNALS, and C. W. Tolles, in that of April, 1925, there is some small discrepancy of fact, and they differ enough in opinion sufficiently to warrant some discussion of Indian sepulture.

The so-called scaffold sepulture occurred among the Pottawattamies after their removal from the lower Lake Michigan area into what is now western Iowa.

The recollections have been taken by the Historical Department of many travelers and there yet survive a few witnesses of burial structures yet standing in 1860 in Cass, Pottawattamie, and Mills counties. But the supposition of our two contributors as to why the dead were elevated to scaffolds or trees are types of suppositions common in all civilized observers of whatever degree of experience and intelligence.

We have felt that the Musquakies at Tama offer the best opportunity of obtaining unalloyed truth of such of their own habits as are clearly racial and of the corresponding habits, current and traditional, of other races observed by or experienced among them.

Moreover, there are among the Musquakies a number of pure Pottawattamies descended from those of their tribe who were transported from western Iowa beyond the Missouri River. At least two of the age of eighty, who are intermarried with the Musquakies, survived until recent years at Tama. They refused to go with their tribe to Kansas and remained in Iowa. The Pottawattamie, Johny Green, can be remembered by many. He was nicknamed among his people Wa-wa-wa, but his true name they say was Kish-ka-quā. A grandson of Kish-ka-quā, Charles H. Chuck, is the sturdy marshal of the "reservation." Numerous other co-descendants survive and speak with certainty

of the habits and traits of the old Pottawattamies as differing from the Musquakies and Winnebagoes at the Tama grounds. John McIntosh, a Pottawattamie, over ninety years old, recently died at Tama. He was a medicine man possessing clear memory of much, if not all, of the information we require.

Every such informant will say in effect that both scaffold and earth sepulture occurred among the Pottawattamies in western Iowa, and that bodies of the same clan, lodge and even family, deceased under identical circumstances and near the same time, were disposed of in the two ways of sepulture, including also the subsequent removal from scaffold to earth, and the permanent abandonment on scaffolds to the natural elements.

Choice of method was exercised much as white people choose, by one or more persons from a tie of blood or public responsibility, upon considerations of preference of the surviving relatives, or upon consideration that the nation might soon remove or permanently remain, and upon the faith, often called by our people their superstition, that the dead would be animated and facilitated in Elysian movements by special disposition made of the mortal form. In this and in some score of practices in sepulture among the Musquakies there is a singular parallel with our own ways of earlier frontier times before functions of sepulture passed from the home to church and commerce.

It seems then that while scaffold sepulture had the effect for instance of securing the remains against attacks from coyotes, one does not see why these animals and their like should be less welcome than the vultures.

It is safe to conclude that to all peoples the disposition of the dead came unchanged from practices so ancient that their causes have been lost. No one has deigned to ascribe to any inventor of our most ancient times a precedent for funeral styles, nor has he within recent times found much innovation in our habits as to the burial of our dead. If not among ourselves why hope to do so in the antiquity of the "savage"? Scaffold sepulture of Wabausie was a solemnity ancient as our tears. The wails of his children were merely as those of our own kin in the Ural wilds.

SOUTHWESTERN IOWA'S REPRESENTATION IN THE THIRD GENERAL ASSEMBLY

The letter from A. D. Miller, Jr., of Salt Lake City, Utah, copy of which we produce below, led us to the knowledge of the interesting situation, as revealed by the documents quoted herein. In the rapid settlement of the state and the organization of the counties some confusion inevitably occurred.

Salt Lake City, Utah,
372 E. 1st St., So.,
Feb. 17, 1926.

Secretary of State,
Des Moines, Iowa.

Dear Sir:

I find, from the history of my people in Iowa, that my grandfather, Henry W. Miller, was the bearer of a petition to the legislature of Iowa in January, 1848, asking for a post office for what is now Council Bluffs, and the creation of Pottawattamie County. Have been informed that he served in one of the legislatures between 1848 and 1852. Could you give me that information, or whether he served as a county officer? Thanking you,

Yours respectfully,

A. D. MILLER, JR.

CHAPTER 84

Acts of the First General Assembly, 1846-47.

Section 1. *Pottawattamie county may be organized.* That the country embraced within the limits of what is called the Pottawattamie Purchase on the waters of the Missouri River, in this state, be, and the same may be, temporarily organized into a county by the name of Pottawattamie, at any time when, in the opinion of the judge of the Fourth Judicial District, the public good may require such organization.—Approved February 24, 1847.

The certificate attached to the abstract of election returns of Pottawattamie County for September 21, 1848, and the certificate of election of representatives as they appear in the Archives Division of the Historical, Memorial and Art Department of Iowa, are as follows:

I certify that the above abstract of votes given at the time and place above specified is correct, and that the county is organized.

WILLIAM PUCKETT,

Organizing Sheriff of Pottawattamie County, Iowa.

Dated this 25th day of September, 1848.

The State Iowa, }
 Pottawattamie County } ss.

I hereby certify that at an election held on the 5th day of August, in the year 1850, in said county, Henry W. Miller was duly elected representative for said county to the General Assembly of the State of Iowa.

In Testimony Whereof I have hereto set my hand with the Seal of the Board of Commissioners of the said county hereto affixed, at my office in Kanesville in said county, this 10th day of August, A. D. 1850.

T. BURDICK,

Clerk of the Board of Commissioners of Said County.

From the Journal of the House of Representatives of the Third General Assembly, 1850, we quote as follows:

December 7. Mr. Summers presented credentials of Benjamin Rector, of Fremont county, and M. H. Clark, of Pottawattamie county, as Representatives from those counties to the General Assembly of Iowa; which were read and referred to the Committee on Elections, with instructions to report on Monday morning next.

December 9. Mr. Gamble, from the Committee on Elections, to whom was referred the election certificates of M. H. Clark, and Benjamin Rector, reported progress and asked leave to sit again, which was granted.

December 11.

REPORT.

1st. That Benjamin Rector, of Fremont County, appears to have been elected at the last August election, representative to represent the interests of the people of that county in this House, during its present session. It further appears from the report of the auditor of state, that the people of Fremont County, Iowa, have paid taxes into the state treasury for the years 1849 and 1850 which would imply (in the judgment of your committee) that they should be represented, as it is a cardinal principle in our form of government that representation and taxation should go together. But by Section 31, Article IV of the Constitution, the number of representatives is limited to thirty-nine; and by an act entitled "An act to reapportion the state and define the boundaries of senatorial and representative districts therein," the whole number of representatives was therein provided for, and as Fremont County was not included in any one of the districts defined by said act, your committee knows of no law whereby the said Rector can be admitted either as a representative or delegate on the floor of this House.

2nd. It appears from the paper which was before the committee, that "at a meeting of the citizens of Council Bluffs and vicinity," Dr. M. H.

Clark was appointed a special delegate to attend the present session of the legislature, to represent the interests of Pottawattamie County. This county, like Fremont, has been taxed for the last two years, and contains several thousand souls; yet it is entirely without any representative in either branch of the state legislature, nor can your committee find either law or precedent by which the special delegate from Council Bluffs, or any other person from said county, no matter how or by whom he may have been elected, can have admittance to a seat on the floor of this house to participate in its deliberations in any way whatever.

Your committee having submitted a plain statement of facts for the consideration of the House, would respectfully ask to be discharged from the further consideration of the subject.

Mr. Preston of Monroe presented the credentials of Henry W. Miller, claiming the right to a seat within the bar of the House as representative from the county of Pottawattamie.

On motion of Mr. Flint the House resolved itself into a Committee of the Whole for the consideration of the report of the Committee on Elections, together with the credentials of Henry W. Miller, at 25 minutes past 2 P. M., Mr. Preston of Linn in the chair.

Four o'clock, 15 minutes, P. M.

The committee rose and by their chairman reported progress, and asked leave to sit again at 2 P. M. to-morrow which was granted.

December 12. A committee of the whole house for the consideration of the credentials of M. H. Clark, Benjamin Rector and Henry W. Miller, Mr. Preston in the chair.

Half past 3 P. M. The committee rose and by their chairman reported back the same without recommendation.

On motion of Mr. Summers, said report was laid on the table.

Mr. Summers offered the following resolution:

Resolved, That Mr. Rector of Fremont county, and Messrs. Clark and Henry W. Miller of Pottawattamie County, be admitted to seats within the bar of this House.

Pending the question on the adoption of said resolution, Mr. Harper moved a call of the House, when it appeared that Messrs. Bunker and Haun were absent.

Mr. Haun was excused.

On motion of Mr. Flint the call was suspended, and the question being on the adoption of the resolution, was decided in the affirmative, yeas 27, nays 10.

The yeas and nays were desired; those who voted in the affirmative were Messrs. Babbitt, Crawford, Dibble, Eaton, Flint, Folsom, Gamble, Gildea, Goodeno, Guiberson, Hamill, Harbour, Harper, McCulloch of Lee, McCulloch of Jefferson, McCrary, Negus, Preston of Monroe, Price, Samuel Riggs, Reuben Riggs, Salmon, Summers, Updegraff, Wilson of Henry, Wyekoff and Mr. Speaker.

Those who voted in the negative were Messrs. Allender, Gibson, Jacobs, Major, Parvin, Preston of Linn, Robinson, Taylor, Thompson and Wilson of Lee.

From the *Iowa Star*, Fort Des Moines, Iowa (in the Newspaper Division of the Historical, Memorial and Art Department of Iowa), we quote as follows:

December 19, 1850. Two members elected in Pottawattamie and Fremont counties, having been elected by the people of those counties, made their appearance and claimed seats as members of the General Assembly, notwithstanding these counties are not embraced within any senatorial or representative district. Their certificates of election were presented to the House and referred to a committee, which reported the facts in the case to the House, and the House then resolved itself into the Committee of the Whole, where quite an interesting discussion sprang up as to whether these members might be admitted to seats on the floor of the House, with the privilege of presenting petitions and discussing matters in which the people of that portion of the state have an immediate interest, but without the right of voting. Most of the members who addressed the committee regretted that the people of the western border of the state had not the right of representation the same as the people of any other portion of the state, but as the last General Assembly in districting the state had not included those counties within any of the districts then formed, theirs could not constitutionally be admitted. Some of the Hon. members maintained that the gentlemen claiming seats might be admitted with the privileges aforesaid, and in support of this position referred to the practice in Congress in relation to delegates elected from her territories.

December 26, 1850. The question as to the admission of the delegates from the west and southwest portions of the state, after having been pretty thoroughly discussed in the House of Representatives where the applications were made, was finally decided as follows: that said delegates from Pottawattamie and Fremont should be admitted to take seats within the bar of the House, but without having the privilege of presenting petitions, or debating. Upon the present General Assembly we have no censure to cast in consequence of anything they have done in relation to this matter, as they, perhaps, have done all that they constitutionally and legally could towards repairing the injury heretofore inflicted upon a portion of the people of the state by having denied them the right of representation. A just apportionment would have probably given them two or three members, but instead of this they were left in such a situation as to be without any, and for this injustice, and want of representation, the gentlemen whom they have elected and sent to the capitol "on their own hook" have had the courtesy ex-

tended to them of sitting within the bar of the House. This courtesy is really worth nothing, and is no reparation for former grievances, but it shows to some extent the feeling and sense of the members, and is an indication that full justice will be done for the future, so that no further just grounds of complaint shall exist. There are injuries which, once inflicted, admit of no reparation. This seems to be one of that character, for if this General Assembly give hereafter to that portion of the state its full and just proportion of representation, this will be no more than simple justice for the future, and will be no reparation for past wrongs.

QUAKERS MEDDLING ABOUT SLAVERY

The Quakers are sending petition after petition to many of the Senators and members of the House, against the admission of Nebraska and also against the repeal of the Missouri restriction. I should like to know in what way they are interested in this question. One of their fundamental church meeting regulations requires, that they abstain from *intermeddling in other men's matters*. They hold no slaves, and it is not likely they ever will unless they obtain them by the usual underground railroad as practised in Pennsylvania and elsewhere to the detriment of the poor Negro, and his defrauded owner. Quakers are queer fellows, and as they are not interested in the slavery question one way or the other, we hope Congress will not receive any more of their petitions on the subject. I have always understood that to petition presupposes a grievance under which the petitioners are suffering some great wrong, or are likely to be injured in their rights, which it is prayed that Congress may interpose to prevent. Now in the name of common sense what injury does a slaveholder of the South practice towards the Quakers of the North? Does the Quaker compound for *his* conscience? or *he* for the conscience of the Quaker? Not a whit of it; and I cannot see any reason for such quiet people as Quakers are known to be, to be running their heads against a post, where it is more than likely to receive, as well as deserve, more broken heads than thanks for their *spirit rappings* at the door of Congress in their meddling in other men's affairs than their own.—Washington Correspondence in *Miners' Express*, Dubuque, Iowa, March 1, 1854. (In the Newspaper Division of the Historical, Memorial and Art Department of Iowa.)

NOTABLE DEATHS

WILLIAM GREENE DOWS was born in Clayton County, Iowa, August 12, 1864, and died at a hospital in Iowa City November 25, 1926. The body is to be deposited in a mausoleum in Oak Hill Cemetery, Cedar Rapids. His parents were Stephen L. and Henrietta W. (Safely) Dows. At the time of their son's birth Mr. and Mrs. Dows, whose home was in Cedar Rapids, were temporarily absent in Clayton County where Mr. Dows was superintending railroad construction. William attended public school in Cedar Rapids, Coe College, and Shattuck Military Academy at Fairbault, Minnesota. During his school life he had frequently been with his father, a leading railroad contractor and builder in the state, in his construction camps, and in 1883 he entered regularly his father's employment, beginning with a minor clerkship and eventually becoming a partner. At this time, 1883, he also enlisted as a private in Company C, First Regiment, Iowa Volunteer Infantry, and began a military career of twenty-five years. He was promoted to first sergeant August 4, 1884; to second lieutenant April 6, 1885; to first lieutenant January 18, 1886; to adjutant of First Regiment January 6, 1890; to major December 21, 1891; to lieutenant colonel April 20, 1897; to colonel April 4, 1898; was mustered into the United States service for the Spanish-American War as colonel of the Forty-ninth Iowa Infantry Volunteers June 2, 1898; commanded his regiment during its service in Cuba and was mustered out at Savannah, Georgia, May 13, 1899. Colonel Dows declined further active service, which would have taken him to the Philippines, and returned to his business activities at home. On the reorganization of the Forty-ninth Regiment, Infantry, Iowa National Guard, March 26, 1900, he again became its colonel. The regimental designation was changed to the Fifty-third Regiment, Infantry, November 26, 1902, and Colonel Dows continued as its commander until his resignation January 8, 1909. During all these years when not in active military duty most of his time was devoted to his extensive financial interests. He was president of the Cedar Rapids Electric Light and Power Company, which was later taken over by the Iowa Railway and Light Company, and of which he was also president. That company grew to operate some 500 miles of high tension lines serving light and power to over 100 cities and towns in central Iowa, and electric car lines to several of them. He was a leading stockholder in the corporation owning the *Cedar Rapids Republican*, and in many other business concerns. He was active in politics, for a time was chairman of the Republican County Central Committee, was elected representative in 1897 and re-elected in 1899, serving in the Twenty-seventh and Twenty-eighth general assemblies, and was chairman of the Appropriation Committee of the House during the last term, was a delegate to the Republican

National Convention in 1912, and was a member of the Republican State Central Committee during the campaigns of 1918 and 1920. He was a trustee of Coe College for several years, was generous in benevolences, and was a popular and strong personality.

JAMES DEKALB GAMBLE was born at Darby's Run, Piqua County, Ohio, November 8, 1836, and died in Knoxville, Iowa, November 25, 1926. His parents were John and Rachel (O'Neal) Gamble. In 1849 the family removed to Marion County, Iowa, by covered wagon. They settled on land near Knoxville, James attended common school, and when nineteen years old began teaching school, attended McGee College at College Mound, Missouri, read law with Knoxville lawyers and was admitted to the bar in 1860. He began practice at Leon. He enlisted in Company D, Fourth Iowa Infantry, July 6, 1861, as fifth corporal. It is said he was offered the captaincy at that time, but declined. He was soon promoted to third sergeant, to second lieutenant May 1, 1862, and to first lieutenant March 3, 1863. He participated in many battles. At the siege of Vicksburg he was taken dangerously ill. His life despaired of, he was compelled to resign, and he returned home in August, 1863. He acted as a deputy United States marshal in Poweshiek County for a time during the latter part of the war, then began the practice of law at Knoxville. The fall of 1865 he was elected representative and served in the Eleventh General Assembly. He became prominent in Masonry, and was grand master of the Masonic Grand Lodge of Iowa, A. F. and A. M., for two years, 1889 to 1891. The fall of 1894 he was elected county attorney of Marion County, and served during 1895 and 1896. The fall of 1896 he was elected district judge to fill a vacancy caused by the resignation of J. H. Henderson. He was sworn in as judge December 10, 1896, succeeding John A. Storey, who was serving by appointment until the vacancy was filled by election. By reason of re-elections Mr. Gamble served as district judge until the end of his term at the close of 1910. After retiring from the bench he devoted most of his time to his personal affairs. Besides being the oldest grand master of the Masonic order in Iowa, he was a member of the Sons of the American Revolution, and was Commander of John C. Ferguson Post, No. 49, G. A. R., Department of Iowa. He joined church early in life, and was a man of steadfast purpose and high character.

WILLIAM ROBINSON LEWIS was born near Zanesville, Ohio, October 12, 1835, and died at Montezuma, Iowa, January 23, 1927. His parents were John M. and Louisa A. (Ramey) Lewis. In 1845 the family removed to New Castle, Ohio. He attended common school during winters and in summers worked in his father's store or on farms. He studied surveying and began the study of law at New Castle. In 1856 he removed to Southport, Peoria County, Illinois, and worked as a carpenter, teaching school the following winter. The spring of 1857 he removed

to Montezuma, Iowa, and began carpentering and reading law. In the fall of 1857 he became principal of the schools of Montezuma. In the fall of 1861 he was elected superintendent of schools of Poweshiek County. He resigned that office the fall of 1862 and was elected clerk of the courts, serving in that position the following two years. He then formed a partnership with his brother-in-law, M. E. Cutts, in the milling business, but disposed of it in 1865. In 1866 he was admitted to the bar and began the practice of law, being associated with D. H. Emery and later with C. R. Clark. In 1868 when the town government of Montezuma was organized, he was a member of the first council. In 1880 he was elected judge of the Circuit Court, serving for the years 1881 to 1886, inclusive. The fall of 1886 he was elected judge of the District Court and served for the years 1887 to 1890, inclusive. Soon after retiring from the bench he resumed practice in Montezuma, and continued with few interruptions until near his death. The fall of 1897 he was elected senator and served in the Twenty-seventh and Twenty-eighth general assemblies. He was one of the organizers of the Montezuma Electric Light and Power Company, and superintended the construction of the plant, as well as the electric light plants at Sigourney and at Bloomfield. He was a Republican in politics, a member of the Presbyterian church, superintendent of the Sunday School of that denomination for many years, was a man of versatility and strong character, and during his seventy years' residence was of great service to his town and community.

JOHN R. PRICE was born in Glamorganshire, Wales, June 23, 1875, and died at Albia, Iowa, January 9, 1927. He was brought by his parents in their removal to the United States in 1881. They located first in Illinois, but later removed to Swan, Marion County, Iowa, where John R. at the age of eleven years began work in coal mines. He later worked in mines at Cedar, Mahaska County, and at Hiteman, Monroe County. He was seriously injured at the age of eighteen in a mine accident, after which he entered Central University, Pella, in 1894, and attended three years, then taught school about three years, was deputy clerk of District Court, and at the same time was reading law under the direction of John T. Clarkson of Albia. He was admitted to the bar in 1900, and began practice at Albia the same year in connection with Thomas Hickenloper. Mr. Hickenloper being elected clerk of the District Court in 1900, Mr. Price formed a partnership with I. H. Tomlinson. Later he was for a time in partnership with Joseph C. Mitchell, but in later years and at the time of his death was again a partner of Mr. Hickenloper. He was elected senator in 1916, and was re-elected in 1920, serving in the Thirty-seventh, Thirty-eighth, Thirty-ninth, Fortieth and Fortieth Extra general assemblies, during the Fortieth and Fortieth Extra being president pro tem. He was an active, eloquent and efficient member, gained leadership of those opposed to the hard surfacing of

roads, was instrumental in forming the Iowa Economy Association which opposed the program of the Iowa Good Roads Association, and was chairman of the executive committee of that body at the time of his death. In 1924 and again in 1926 he was an unsuccessful candidate in the primaries for the Republican nomination for lieutenant governor, making the road question the chief issue. He served as grand master of the Grand Lodge of Iowa of the Independent Order of Odd Fellows from October, 1920, to October, 1921.

HILL McLELLAND BELL was born in Licking County, Ohio, June 19, 1860, and died in Los Angeles, California, January 9, 1927. His parents were James¹ Harrison and Elmy A. (Cooper) Bell. He was brought by his parents in their removal to Jasper County, Iowa, in 1865, and obtained his early education in a country school and at Hazel Dell Academy, Newton. From 1878 to 1888 he alternately taught in public schools and attended college, being graduated B. S. at Western Normal College, Shenandoah, in 1886. He was superintendent of schools at Kellogg from 1885 to 1888. During 1880-90 he was professor of mathematics in Callanan College, the Normal Department of Drake University, Des Moines, at the same time taking the course leading to the A. B. degree in the Liberal Arts College of Drake, which he received in 1890. He received the A. M. degree from Drake in 1899, and Simpson College, Indianola, conferred on him the LL. D. degree in 1905. He was professor of English in Highland Park College, Des Moines, in 1890-94, and professor of English and pedagogy in Lincoln Normal School, Lincoln, Nebraska, in 1894-97, serving as president during the last two years. In 1897 he returned to Drake University as professor of education and dean of the Normal College, a position which he filled until 1902. In 1900 he became vice chancellor of the University. In 1902-03 he was dean of the College of Liberal Arts and acting chancellor, and from 1903 to 1918 was president of the University, but was obliged to resign in the latter year because of the failure of his health. He exhibited constructive skill and energy during the fifteen years of his presidency, the institution developing markedly under his administration. He was president of the Iowa State Teachers Association in 1910, and was president of the National Convention of the Christian Churches held at Atlanta, Georgia, in 1914.

ALLEN JOSEPH CHANTRY was born in Van Buren County, Iowa, June 13, 1841, and died in Oceanside, California, January 20, 1927. Burial was at Malvern, Iowa. His parents were Thomas and Hannah Chantry. In 1855 the family removed to Guthrie County. Allen J. received most of his education from his mother, who taught neighborhood schools in those pioneer times. When he was nineteen years old he began teaching and followed that until his enlistment in the Union Army. August 13, 1862, he was appointed second lieutenant of Company K, Twenty-

ninth Iowa Infantry. He was promoted to first lieutenant August 8, 1863, was wounded at Terre Noir Creek, Arkansas, April 2, 1864, and was given a captain's commission at the time he was mustered out at New Orleans August 10, 1865. On returning to Iowa he settled on virgin soil and improved a farm in Page County, doing some school-teaching and surveying. In 1873 he was elected representative from Page County and served in the Fifteenth General Assembly. In 1881 he bought a farm near Malvern, Mills County, and removed to it. In 1887 he was elected representative from Mills County, and was re-elected in 1889, serving in the Twenty-second and Twenty-third general assemblies. In 1891 he was elected senator and served in the Twenty-fourth and Twenty-fifth general assemblies. The last few years of his life were spent in Southern California.

CHARLES CHASE McCLAUGHRY was born in Carthage, Illinois, April 7, 1863, and died at Lorton, Virginia, October 10, 1926. Burial was at Cedar Rapids, Iowa. His parents were Major Robert Wilson and Elizabeth C. (Madden) McLaughry. He received his secondary education in public schools in St. Louis, Missouri, Monmouth and Joliet, Illinois, and Lake Forest Academy. Later he attended Monmouth College, Monmouth, and was graduated from Knox College, Galesburg, in 1885. He was trained as an engineer and during his life worked for various industrial concerns as an engineer, but his great work was in correctional and penal institutions. This work began in 1887 when he became master mechanic and chief engineer of the Illinois State Penitentiary at Joliet, of which his father was then warden. He left this position to become deputy superintendent of the Chicago House of Correction. He served as a deputy in the Allegheny County, Pennsylvania, Workhouse, and as deputy warden of the Indiana State Penitentiary at Michigan City. In 1899 he went to the Wisconsin State Penitentiary, Madison, as warden, which service he followed as deputy warden at the Federal Prison at Atlanta, Georgia, and later as superintendent of the Missouri Boys Reform School at Booneville. In 1911 he went to Anamosa, Iowa, as warden of the State Reformatory; in 1917 to Hartford, Connecticut, as warden of the State Penitentiary; and in 1925 to Occoquan, Virginia, as superintendent of the District of Columbia Workhouse, which position he was holding at the time of his death. His long experience in his chosen field and his ability as an administrator made him an authority on prison matters.

CHARLES FRANCIS CHASE was born at Fort Crawford, Prairie du Chien, Wisconsin, October 28, 1854, and died at Atlantic, Iowa, January 27, 1927. His father was John J. Chase, a first cousin of Salmon P. Chase, chief justice of the United States. When Charles was a small boy the family removed to Ashley, Washington County, Illinois. At an early age he became a telegrapher. Returning to the place of his birth

he became an apprentice printer in the office of the *Prairie du Chien Union*. In 1874 he worked as a printer for John P. Irish on the *Iowa City Press*. In 1877 he, with Claude Faust, founded the *Anita Times*. In 1880 he removed to Atlantic and founded the *Cass County Democrat*. He was the Ninth District member of the Democratic State Central Committee during 1891-94. He was appointed postmaster at Atlantic March 4, 1893, by President Cleveland, sold his newspaper and gave his whole attention to the post office. In the campaign of 1896 he affiliated with the National Democratic party (Gold Democrats). In 1898 he conducted the *Council Bluffs Globe* as receiver for about a year, following which he spent three or four years in various newspaper enterprises in Colorado and North Dakota, then returned to Atlantic in 1902, and with his son, E. P. Chase, and J. W. Cuykendall, repurchased the *Cass County Democrat*. In 1908 they changed it to the *Daily News*, making it Republican in politics, and issued a weekly edition. January 1, 1912, they took over the *Atlantic Telegraph*, their paper becoming the *News-Telegraph*. August 1, 1921, Dante M. Pierce purchased the plant, but six months later Mr. Chase and his son repurchased it. Mr. Chase was a man of ability, of independence, and of positive character—one of the older type of editors whose personality stood out plainly on his editorial page.

JACOB SCHMIDT was born near Toronto, Canada, June 16, 1855, and died in Cedar Rapids, Iowa, January 20, 1926. As a young man he entered school at Toronto, uncertain whether to become a painter or a musician. He attended schools of music and was instructed by a number of piano teachers in Toronto. Later he attended the music school then noted for its efficiency at Buffalo, New York. Here he met the noted violinist, Ole Bull, and received from him a few lessons on the violin. Mr. Schmidt said he never forgot Bull's words, "Young man, practice, practice, practice." He also took lessons on the violin in Philadelphia and New York, later joining the Thomas Orchestra at Chicago. He was teacher of violin at Highland Park College, Des Moines, Iowa, and later conducted an orchestra at Omaha. For thirty-six years he was a citizen of Cedar Rapids, conducted a private studio, and was leader of the opera house orchestra and of the city band of Cedar Rapids. He was band leader in the Iowa National Guard from 1910 to 1916 and on the Mexican frontier. At the beginning of the World War he was appointed first lieutenant and band leader and saw service in France. He was discharged in April, 1919, returning to Cedar Rapids in impaired health.—B. L. W.

SETH DEAN was born in Lyons Township, Mills County, Iowa, October 20, 1851, and died in Glenwood February 14, 1927. His parents were William and Susan Briggs Dean. His education was received in common school, augmented by nine weeks in Tabor College, and by reading

and observation pursued throughout his busy life. In his early manhood he took up the study of surveying and civil engineering, pursuing it under George Neeley, then located at Glenwood, but afterwards a noted engineer of the Southern Pacific Railroad. In 1875 Mr. Dean located at Glenwood and engaged in civil engineering. In 1877 he was elected county surveyor of Mills County and by reason of re-elections served continuously for thirty years, or until 1906, when his other engineering work became so extensive he declined further service in that office. He was extensively employed in drainage engineering and became an authority on the subject in his section of the country. He was appointed by Governor Harding a member of the State Board of Engineer Examiners at its creation in 1919, was its first chairman, was reappointed by Governor Kendall and was still a member when he died. He contributed articles for different engineering periodicals and was also a genealogical and historical student and scholar. He contributed to the press many articles of local historical interest and at the time of his death had in partial preparation for the ANNALS a sketch of the famous Chief Wabaunsee, Pottawattamie Indian, who died in Mills County about the time his tribe was removed to Kansas. Mr. Dean was a most useful citizen to his community and state.

DAVID KIRKPATRICK HARBERT was born on a farm near Shellsburg, Benton County, Iowa, April 23, 1857, and died at Excelsior Springs, Missouri, November 18, 1926. Burial was at Shellsburg. His parents were Perry M. and Hannah Kirkpatrick Harbert. After attending common school during boyhood he was in Cornell College some three years, and was graduated from Baylies' Business College in Keokuk, October 28, 1874. He taught school for several terms near Atkins, was in the clothing business at Allison for a few years, and in 1888 assisted his father in organizing the Bank of Shellsburg of which he became cashier, serving until the bank was sold to the Peoples Savings Bank of Shellsburg in 1906. He served as mayor of Shellsburg, held other local offices and in 1897 was elected representative, and was re-elected in 1899, serving in the Twenty-seventh and Twenty-eighth general assemblies. In 1907 he removed to Cedar Rapids, but in 1914 returned to Shellsburg.

GEORGE BERTRAM LYNCH was born at Antioch, Monroe County, Ohio, September 27, 1863, and died at his home at Adair, Iowa, December 21, 1926. His parents were George Benjamin and Margaret J. Lynch. He attended school in his home town and at the age of fifteen began teaching. When twenty-one he removed to Panora, Iowa, where he taught in public school, following that by being superintendent of schools, first at Menlo, and later at Stuart. He had begun the study of law and in 1892, passed the necessary examination and was admitted to the senior class of the Law School of the University of Cincinnati, Ohio, and was graduated in 1893. He began practice in August of that year at Stuart in

partnership with F. O. Hinkson, but in October, 1895, removed to Adair, where he continued in practice until his death. For a few recent years he was in partnership with Harry D. Byers. Although a Democrat, he was appointed by Governor Harding as a district judge of the Fifth Judicial District from July 3, 1918, to the following January 1, to fill the vacancy caused by the death of Judge Fahey. He was not a candidate for election to the succession, but in 1920 he was a candidate on the Democratic ticket for judge of the Supreme Court. He was a very useful citizen, among his other activities being a leading good roads promoter of the state.

WILLIAM ANDERSON was born near London, Canada, April 8, 1852, and died at Ames, Iowa, March 4, 1926. Burial was at Jewell. His parents were Duncan and Catherine (Corsant) Anderson. He attended school in London and was graduated from Middlesex Seminary, Komoka, Ontario, Canada, in 1869. For the next four years he taught school in London and in 1873 settled near Jewell, Hamilton County, Iowa, and farmed in summers and taught school in winters. In 1883 he was elected auditor of Hamilton County and served four years. In 1887 he was elected county superintendent and served four years in that position. He then returned to Jewell and divided his time between his farming interests and helping organize the State Bank of Jewell, of which he became vice president. He removed to Webster City in 1896 as cashier of the First National Bank of that place, but returned to Jewell in 1899, becoming president of the State Bank of Jewell, which position he held until 1912. In 1906 he was elected representative and was re-elected in 1908, serving in the Thirty-second and Thirty-third general assemblies. He also held many other positions of trust, being active and useful as a citizen and successful as a business man.

JAMES T. DALBY was born near Olin, Jones County, Iowa, November 17, 1856, and died at Creston, Iowa, October 24, 1926. He attended common school, and graded school in Olin, and followed that by teaching during winters for four years, working on farms during summers. About 1879 he removed to Crawford County and followed farming. In 1896 he located at Orient in the lumber and hardware business which he continued until 1909. He was president of the State Bank of Adair County, Orient, from 1905 until 1924. In 1908 he was elected representative from Adair County, and served in the Thirty-third General Assembly. The last few years of his life he lived in Creston, excepting a year or two at Long Beach, California.

CHARLES CLEVELAND NUTTING was born in Jacksonville, Illinois, May 25, 1858, and died at Iowa City, Iowa, January 23, 1927. His parents were Rev. Rufus and Margaretta Leib (Hunt) Nutting. He began his education in Jacksonville, and in 1880 was graduated from Blackburn

University, Carlinville, Illinois, in 1880, securing his Master's degree from the same institution in 1882. In 1881-82 he was engaged in explorations for the Smithsonian Institution in Central America. In 1886 he became professor of zoology and curator of the Museum of Natural History, and in 1890 the head of the Department of Zoology in the University, serving until the fall of 1926 when he resigned to give more time to research work. When connected with the University he engaged in scientific research expeditions into Florida, the Saskatchewan River country, the West Indies, to Plymouth (England), Naples, Barbados, and Hawaii. He was a member of leading scientific societies, and was the author of "Narrative of Bahama Expedition from the University of Iowa," 1893; "American Hybroids," Parts 1, 2, 3, 1900, 1904; "Narrative Barbados-Antiqua Expedition," 1912; also of many papers on scientific subjects. He was held in high esteem as a scientist, an educator, and a man.

WILLIAM BELL TALLMAN was born at Point Pleasant, Virginia, now West Virginia, January 10, 1848, and died in Osceola, Iowa, October 27, 1926. He was brought by his parents, Thomas B. and Frances Gillespie Tallman, upon their removal to Iowa in 1851. The family first settled on a farm in Lee County, and later removed to Des Moines County. William helped on the farm, attended common school, and entered Burlington Collegiate Institute from which he was graduated in 1870. His parents having removed to Green Bay Township, Clarke County, the previous year, he followed them, worked on the farm, teaching school in winters until 1876 when he became principal of the Woodburn school, which he conducted until 1879. He had been reading law under direction of M. L. Temple of Osceola, was admitted to the bar in 1880, and practiced his profession in Osceola until his death. From 1898 until 1908 he was in partnership in the practice with L. E. Crist. He was elected senator in 1899 and served in the Twenty-eighth and Twenty-ninth general assemblies. In 1912 he was the Eighth District presidential elector, chosen on the Democratic ticket.

JOHN KILLEN was born on a farm in Monona Township, Clayton County, Iowa, December 20, 1851, and died in Monona November 7, 1926. He was educated in public school in the country and in Monona. He taught school in the country for a time, clerked in a store in Monona, and soon followed that by entering the mercantile business in Monona on his own account, which he continued successfully for forty years. He also conducted a private banking business, but in 1913 sold that to the Citizens State Bank of Monona, of which he was for some time president. He retired from active business in 1919. He served the public of his town and community in many ways. He was the first mayor of Monona and held the office two terms. He was elected representative in 1883 and was re-elected in 1885, serving in the Twentieth and Twenty-first general assemblies.



W. I. Atkinson

Reproduced from a pen-and-ink sketch by G. W. Maxon of a photograph in 1913
by Hostetler.